

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SPECIAL SESSION

LEGISLATIVE BILL 3

FINAL READING

Introduced by Speaker Flood, 19; at the request of the Governor.

Read first time November 04, 2009

Committee: Appropriations

A BILL

1 FOR AN ACT relating to state funds; to amend sections
2 2-1503.01, 2-1577, 2-1587, 2-15,122, 3-126, 13-2704,
3 24-205, 24-227.01, 24-229, 25-2921, 28-429, 29-2259.02,
4 29-2262.07, 29-3921, 33-102, 37-351, 38-157, 39-1390,
5 46-1121, 46-1403, 50-437, 57-919, 60-1409, 66-739,
6 70-1020, 71-222.02, 71-4732, 72-2009, 76-549, 77-3,110,
7 77-4310.03, 77-5031, 79-810, 79-1320, 81-188.01,
8 81-201.05, 81-2,147.11, 81-2,291, 81-528, 81-550,
9 81-5,153, 81-8,110.07, 81-8,194, 81-1120.23, 81-1201.22,
10 81-1278, 81-1413.01, 81-1428, 81-15,121, 81-15,165,
11 81-15,180, 81-1607.01, 81-1634, 81-2004.01, 81-2105,
12 81-3524, 82-108.02, 83-913.01, 84-409, 84-414, 84-1227,
13 85-1419, 85-1803, 86-127, 86-312, 86-463, 88-545.01,

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1 88-552, and 89-1,100, Reissue Revised Statutes of
2 Nebraska, sections 48-1,116, 49-14,140, 50-114.05,
3 53-117.06, 54-857, 54-2428, 55-131, 59-1608.04, 60-3,218,
4 61-210, 61-218, 71-5661, 71-5714, 71-8612, 72-2211,
5 72-2501, 76-2226, and 77-5601, Revised Statutes
6 Cumulative Supplement, 2008, and sections 1-111, 2-5106,
7 47-632, 57-705, 60-2132, 66-1521, 66-1839, 77-1342,
8 81-885.15, 81-1201.21, 81-15,160, 81-3119, 81-3432, and
9 84-510, Revised Statutes Supplement, 2009; to provide for
10 transfers to the General Fund; to authorize the Supreme
11 Court to direct the use of certain funds; to provide
12 for the investment of funds; to eliminate obsolete
13 provisions; to repeal the original sections; and to
14 declare an emergency.

15 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 1-111, Revised Statutes Supplement,
2 2009, is amended to read:

3 1-111 (1) All fees collected under the Public Accountancy
4 Act and all costs collected under subdivision (8) of section
5 1-148 shall be remitted by the board to the State Treasurer for
6 credit to the Certified Public Accountants Fund which is hereby
7 created. Such fund shall, if and when specifically appropriated
8 by the Legislature during any biennium for that purpose, be paid
9 out from time to time by the State Treasurer upon warrants drawn
10 by the Director of Administrative Services on vouchers approved
11 by the board, and such board and expense thereof shall not be
12 supported or paid from any other fund of the state. Transfers may
13 be made from the fund to the General Fund at the direction of
14 the Legislature through June 30, 2011. Any money in the Certified
15 Public Accountants Fund available for investment shall be invested
16 by the state investment officer pursuant to the Nebraska Capital
17 Expansion Act and the Nebraska State Funds Investment Act.

18 (2) The board shall remit civil penalties collected
19 under subdivision (5) of section 1-148 to the State Treasurer for
20 distribution in accordance with Article VII, section 5, of the
21 Constitution of Nebraska.

22 Sec. 2. Section 2-1503.01, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 2-1503.01 The Small Watersheds Flood Control Fund is
25 created. The State Treasurer shall credit to the fund such

1 money as is specifically appropriated during any session of the
2 Legislature. The State Treasurer shall also credit such fund with
3 money contributed to or remitted by local organizations which was
4 obtained through the sale or lease of property procured through the
5 use of state funds as authorized in sections 2-1502 to 2-1503.03.
6 In addition, funds, services, and properties made available by
7 the United States or one of its departments or agencies may be
8 credited to the fund. The money in the fund shall not be subject
9 to fiscal year or biennium limitations. Transfers may be made from
10 the fund to the General Fund at the direction of the Legislature.
11 Any money in the ~~fund~~ Small Watersheds Flood Control Fund available
12 for investment shall be invested by the state investment officer
13 pursuant to the Nebraska Capital Expansion Act and the Nebraska
14 State Funds Investment Act.

15 Sec. 3. Section 2-1577, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 2-1577 (1) There is hereby created the Nebraska Soil and
18 Water Conservation Fund to be administered by the department. The
19 State Treasurer shall credit to the fund such money as is (a)
20 appropriated to the fund by the Legislature, (b) paid to the state
21 as fees, deposits, payments, and repayments relating to the fund,
22 both principal and interest, and (c) donated as gifts, bequests, or
23 other contributions to such fund from public or private entities.
24 Funds made available by any agency of the United States may also be
25 credited to such fund if so directed by such agency.

1 (2) The money in the fund shall not be subject to any
2 fiscal-year limitation or lapse provision of unexpended balance at
3 the end of any such fiscal year or biennium. Transfers may be
4 made from the fund to the General Fund at the direction of the
5 Legislature.

6 (3) Any money in the fund Nebraska Soil and Water
7 Conservation Fund available for investment shall be invested by the
8 state investment officer pursuant to the Nebraska Capital Expansion
9 Act and the Nebraska State Funds Investment Act.

10 Sec. 4. Section 2-1587, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 2-1587 (1) There is hereby created the Nebraska Resources
13 Development Fund to be administered by the department. The State
14 Treasurer shall credit to the fund, to carry out sections 2-1586
15 to 2-1595, such money as is (a) appropriated to the fund by the
16 Legislature, (b) paid to the state as fees, deposits, payments,
17 and repayments relating to the fund, both principal and interest,
18 and (c) donated as gifts, bequests, or other contributions to such
19 fund from public or private entities. Funds made available by any
20 department or agency of the United States may also be credited to
21 this fund if so directed by such department or agency. The money
22 in the fund shall not be subject to any fiscal year or biennium
23 limitation requiring reappropriation of the unexpended balance at
24 the end of the fiscal year or biennium. Transfers may be made from
25 the fund to the General Fund at the direction of the Legislature.

1 (2) To aid in the funding of projects and to prevent
2 excessive fluctuations in appropriation requirements for the ~~fund,~~
3 Nebraska Resources Development Fund, the department shall create
4 a reserve fund to be used only for projects requiring total
5 expenditures from the Nebraska Resources Development Fund in excess
6 of five million dollars. Unless disapproved by the Governor, the
7 department may credit to such reserve fund that portion of any
8 appropriation to the Nebraska Resources Development Fund which
9 exceeds five million dollars. The department may also credit to the
10 reserve fund such other funds as it determines are available.

11 (3) Any money in the Nebraska Resources Development Fund
12 available for investment shall be invested by the state investment
13 officer pursuant to the Nebraska Capital Expansion Act and the
14 Nebraska State Funds Investment Act.

15 Sec. 5. Section 2-15,122, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 2-15,122 There is hereby created the Natural Resources
18 Water Quality Fund. The State Treasurer shall credit to the fund
19 for the uses and purposes of section 2-15,123 such money as
20 is specifically appropriated, such funds, fees, donations, gifts,
21 services, or devises or bequests of real or personal property
22 received by the department from any source, federal, state, public,
23 or private, to be used by the department for the purpose of
24 funding programs listed in subsection (2) of section 2-15,123,
25 and such money credited under sections 2-2634, 2-2638, and 2-2641.

1 The department shall allocate money from the fund pursuant to
2 section 2-15,123. The fund shall be exempt from provisions relating
3 to lapsing of appropriations, and the unexpended and unencumbered
4 balance existing in the fund on June 30 each year shall be
5 reappropriated, except that transfers may be made from the fund
6 to the General Fund at the direction of the Legislature. Any
7 money in the ~~fund~~ Natural Resources Water Quality Fund available
8 for investment shall be invested by the state investment officer
9 pursuant to the Nebraska Capital Expansion Act and the Nebraska
10 State Funds Investment Act.

11 Sec. 6. Section 2-5106, Revised Statutes Supplement,
12 2009, is amended to read:

13 2-5106 The Buffer Strip Incentive Fund is created.
14 Proceeds raised from fees imposed for the registration of
15 pesticides and earmarked for the fund pursuant to section 2-2634,
16 proceeds raised from federal grants earmarked for the fund, and
17 any proceeds raised from public or private donations made to the
18 fund shall be remitted to the State Treasurer for credit to the
19 fund. The fund shall be administered by the department to maintain
20 the buffer strip program and for expenses directly related to
21 the program, including necessary expenses of the department in
22 carrying out its duties and responsibilities under the Buffer
23 Strip Act, except that ~~on July 1, 2009, or as soon thereafter~~
24 ~~as administratively possible, the State Treasurer shall transfer~~
25 ~~five hundred thousand dollars from the Buffer Strip Incentive Fund~~

1 ~~to the Noxious Weed and Invasive Plant Species Assistance Fund.~~
 2 transfers may be made from the fund to the General Fund at the
 3 direction of the Legislature. The annual cost of administering
 4 the buffer strip program shall not exceed ten percent of the
 5 total annual proceeds credited to the Buffer Strip Incentive Fund.
 6 Such administrative costs shall include funds allocated by the
 7 department to the districts for their administrative costs. Any
 8 money in the fund available for investment shall be invested by the
 9 state investment officer pursuant to the Nebraska Capital Expansion
 10 Act and the Nebraska State Funds Investment Act.

11 Sec. 7. Section 3-126, Reissue Revised Statutes of
 12 Nebraska, is amended to read:

13 3-126 The Department of Aeronautics Cash Fund is created.
 14 All money received by the department pursuant to the State
 15 Aeronautics Department Act shall be remitted to the State Treasurer
 16 for credit to the fund. The department is authorized, whether
 17 acting for this state, as the agent of any of its municipalities,
 18 or as the agent of any person owning a privately owned public use
 19 airport, or when requested by the United States Government or any
 20 agency or department thereof, to disburse such money. Transfers may
 21 be made from the fund to the General Fund at the direction of the
 22 Legislature through June 30, 2011. Any money in the ~~fund~~ Department
 23 of Aeronautics Cash Fund available for investment shall be invested
 24 by the state investment officer pursuant to the Nebraska Capital
 25 Expansion Act and the Nebraska State Funds Investment Act.

1 Sec. 8. Section 13-2704, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 13-2704 The Local Civic, Cultural, and Convention Center
4 Financing Fund is created. The fund shall be administered by the
5 department. Transfers may be made from the fund to the General Fund
6 at the direction of the Legislature. Any money in the fund Local
7 Civic, Cultural, and Convention Center Financing Fund available
8 for investment shall be invested by the state investment officer
9 pursuant to the Nebraska Capital Expansion Act and the Nebraska
10 State Funds Investment Act. The fund may be used for assistance
11 for the construction of new centers or the renovation or expansion
12 of existing centers. The fund may not be used for planning,
13 programming, marketing, advertising, and related activities.

14 Sec. 9. Section 24-205, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 24-205 The Supreme Court Education Fund is created. The
17 State Court Administrator shall administer the fund. The fund shall
18 consist of money remitted pursuant to section 33-154. The Except as
19 otherwise directed by the Supreme Court during the period from the
20 effective date of this act until June 30, 2011, the fund shall only
21 be used to aid in supporting the mandatory training and education
22 program for judges and employees of the Supreme Court, Court of
23 Appeals, district courts, separate juvenile courts, county courts,
24 and Nebraska Probation System as enacted by rule of the Supreme
25 Court. Any money in the fund available for investment shall be

1 invested by the state investment officer pursuant to the Nebraska
2 Capital Expansion Act and the Nebraska State Funds Investment Act.

3 Sec. 10. Section 24-227.01, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 24-227.01 The Supreme Court Automation Cash Fund is
6 created. The State Court Administrator shall administer the fund.
7 The Except as otherwise directed by the Supreme Court during the
8 period from the effective date of this act until June 30, 2011,
9 the fund shall only be used to support automation expenses of
10 the Supreme Court, Court of Appeals, district courts, separate
11 juvenile courts, county courts, and Nebraska Probation System from
12 the computer automation budget program, except that the State
13 Treasurer shall, on or before June 30, 2011, on such date as
14 directed by the budget administrator of the budget division of
15 the Department of Administrative Services, transfer the amount
16 set forth in Legislative Bill 1, One Hundred First Legislature,
17 First Special Session, 2009. Any money in the ~~fund~~ Supreme Court
18 Automation Cash Fund available for investment shall be invested
19 by the state investment officer pursuant to the Nebraska Capital
20 Expansion Act and the Nebraska State Funds Investment Act.

21 Sec. 11. Section 24-229, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 24-229 The Counsel for Discipline Cash Fund is created.
24 The fund shall be established within the ~~Nebraska~~ Supreme Court
25 and administered by the State Court Administrator. The fund shall

1 consist of a portion of the annual membership dues assessed by the
2 Nebraska State Bar Association and remitted to the ~~Nebraska~~ Supreme
3 Court for credit to the fund. The Except as otherwise directed by
4 the Supreme Court during the period from the effective date of this
5 act until June 30, 2011, the fund shall only be used to pay the
6 costs associated with the operation of the Office of the Counsel
7 for Discipline. Any money in the fund available for investment
8 shall be invested by the state investment officer pursuant to
9 the Nebraska Capital Expansion Act and the Nebraska State Funds
10 Investment Act.

11 Sec. 12. Section 25-2921, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 25-2921 The Dispute Resolution Cash Fund is created.
14 The State Court Administrator shall administer the fund. The fund
15 shall consist of proceeds received pursuant to subdivision (10)
16 of section 25-2908 and section 33-155. The Except as otherwise
17 directed by the Supreme Court during the period from the effective
18 date of this act until June 30, 2011, the fund shall be used to
19 supplement the administration of the office and the support of the
20 approved centers. It is the intent of the Legislature that any
21 General Fund money supplanted by the Dispute Resolution Cash Fund
22 may be used for the support and maintenance of the State Library.
23 Any money in the fund available for investment shall be invested
24 by the state investment officer pursuant to the Nebraska Capital
25 Expansion Act and the Nebraska State Funds Investment Act.

1 Sec. 13. Section 28-429, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 28-429 (1) There is hereby established in the Nebraska
4 State Patrol a Division of Drug Control. The division shall consist
5 of such personnel as may be designated by the Superintendent
6 of Law Enforcement and Public Safety. It shall be the duty of
7 the division to enforce all of the provisions of the Uniform
8 Controlled Substances Act and any other provisions of the law
9 dealing with controlled substances and to conduct drug education
10 activities as directed by the superintendent. The Nebraska State
11 Patrol shall cooperate with federal agencies, the department,
12 other state agencies, elementary and secondary schools, and County
13 Drug Law Enforcement and Education Fund Boards in discharging
14 their responsibilities concerning traffic in controlled substances,
15 in suppressing the abuse of controlled substances, and in
16 conducting drug education activities. To this end the division
17 is authorized to: (a) Arrange for the exchange of information
18 between governmental officials concerning the use and abuse of
19 controlled substances; (b) coordinate and cooperate in training
20 programs on controlled substance law enforcement and education
21 at the local and state levels; (c) establish a centralized unit
22 which will accept, catalog, file, and collect statistics, including
23 records of drug dependent persons and other controlled substance
24 law offenders within the state, and make such information available
25 for federal, state, and local law enforcement purposes on request;

1 (d) cooperate in locating, eradicating, and destroying wild or
2 illicit growth of plant species from which controlled substances
3 may be extracted, and for these purposes a peace officer is hereby
4 authorized to enter onto property upon which there are no buildings
5 or upon which there are only uninhabited buildings without first
6 obtaining a search warrant or consent; (e) develop a priority
7 program so as to focus the bulk of its efforts on the reduction and
8 elimination of the most damaging drugs including narcotic drugs,
9 depressant and stimulant drugs, and hallucinogenic drugs; and (f)
10 develop and conduct drug education activities in cooperation with
11 elementary and secondary schools in Nebraska and with County Drug
12 Law Enforcement and Education Fund Boards.

13 (2) There is hereby created the Nebraska State Patrol
14 Drug Control and Education Cash Fund which shall be used for
15 the purposes of (a) obtaining evidence for enforcement of any
16 state law relating to the control of drug abuse and (b) drug
17 education activities conducted pursuant to subsection (1) of this
18 section, except that transfers may be made from the fund to the
19 General Fund at the direction of the Legislature. Any money in the
20 ~~fund~~ Nebraska State Patrol Drug Control and Education Cash Fund
21 available for investment shall be invested by the state investment
22 officer pursuant to the Nebraska Capital Expansion Act and the
23 Nebraska State Funds Investment Act.

24 (3) For the purpose of establishing and maintaining
25 legislative oversight and accountability, the Appropriations

1 Committee of the Legislature shall formulate record-keeping
2 procedures to be adhered to by the Nebraska State Patrol for
3 all expenditures, disbursements, and transfers of cash from the
4 Nebraska State Patrol Drug Control and Education Cash Fund. Based
5 on these record-keeping procedures, the Nebraska State Patrol
6 shall prepare and deliver to the Clerk of the Legislature at
7 the commencement of each succeeding session a detailed report
8 which shall contain, but not be limited to: (a) Current total
9 in the cash fund; (b) total amount of expenditures; (c) purpose
10 of the expenditures to include: (i) Salaries and any expenses of
11 all agents and informants; (ii) front money for drug purchases;
12 (iii) names of drugs and quantity of purchases; (iv) amount of
13 front money recovered; and (v) drug education activities; (d)
14 total number of informers on payroll; (e) amounts delivered to
15 patrol supervisors for distribution to agents and informants and
16 the method of accounting for such transactions and the results
17 procured through such transactions; and (f) a description of the
18 drug education activities conducted since the date of the previous
19 report. Each member of the Legislature shall receive a copy of such
20 report by making a request for it to the superintendent.

21 (4) The superintendent shall adopt and promulgate rules
22 and regulations to carry out this section.

23 Sec. 14. Section 29-2259.02, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 29-2259.02 The State Probation Contractual Services

1 Cash Fund is created. The fund shall consist only of payments
2 received by the state pursuant to contractual agreements with
3 local political subdivisions for probation services provided by
4 the Office of Probation Administration. The Except as otherwise
5 directed by the Supreme Court during the period from the effective
6 date of this act until June 30, 2011, the fund shall only be used
7 to pay for probation services provided by the Office of Probation
8 Administration to local political subdivisions which enter into
9 contractual agreements with the Office of Probation Administration.
10 The fund shall be administered by the probation administrator. Any
11 money in the fund available for investment shall be invested by the
12 state investment officer pursuant to the Nebraska Capital Expansion
13 Act and the Nebraska State Funds Investment Act.

14 Sec. 15. Section 29-2262.07, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 29-2262.07 The Probation Program Cash Fund is created.
17 All funds collected pursuant to section 29-2262.06 shall be
18 remitted to the State Treasurer for credit to the fund. The
19 Except as otherwise directed by the Supreme Court during the
20 period from the effective date of this act until June 30, 2011,
21 the fund shall be utilized by the administrator, in consultation
22 with the Community Corrections Council, for the purposes stated
23 in subdivision (14) of section 29-2252, except that the State
24 Treasurer shall, on or before June 30, 2011, on such date as
25 directed by the budget administrator of the budget division of

1 the Department of Administrative Services, transfer the amount
2 set forth in Legislative Bill 1, One Hundred First Legislature,
3 First Special Session, 2009. Any money in the fund available
4 for investment shall be invested by the state investment officer
5 pursuant to the Nebraska Capital Expansion Act and the Nebraska
6 State Funds Investment Act.

7 Sec. 16. Section 29-3921, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 29-3921 The Commission on Public Advocacy Operations Cash
10 Fund is created. The fund shall be used for the operations of the
11 commission, except that transfers may be made from the fund to
12 the General Fund at the direction of the Legislature through June
13 30, 2011. The ~~fund~~ Commission on Public Advocacy Operations Cash
14 Fund shall consist of money remitted pursuant to section 33-156.
15 It is the intent of the Legislature that the commission shall
16 be funded solely from the fund. Any money in the fund available
17 for investment shall be invested by the state investment officer
18 pursuant to the Nebraska Capital Expansion Act and the Nebraska
19 State Funds Investment Act.

20 The State Treasurer shall transfer two hundred fifty
21 thousand dollars from the Commission on Public Advocacy Operations
22 Cash Fund to the University Cash Fund within fifteen days after
23 May 1, 2008. Such funds shall be used for a study of the
24 juvenile legal defense and guardian ad litem systems utilizing
25 the University of Nebraska Public Policy Center to create,

1 administer, and review a Request for Proposals to select from
2 a national search a research consultant that is qualified to
3 provide a methodologically sound and objective assessment of
4 Nebraska's juvenile justice system. The assessment shall include:
5 (1) Gathering of general data and information about the structure
6 and funding mechanisms for juvenile legal defense and guardian ad
7 litem representation; (2) a review of caseloads; (3) examining
8 issues related to the timing of appointment of counsel and
9 guardians ad litem; (4) supervision of attorneys; (5) charging
10 and trying juveniles as adults; (6) frequency with which juveniles
11 waive their right to counsel and under what conditions they do
12 so; (7) allocation of resources; (8) adequacy of juvenile court
13 facilities; (9) compensation of attorneys; (10) supervising and
14 training of attorneys; (11) access to investigators, experts,
15 social workers, and support staff; (12) access to educational
16 officers, teachers, educational staff, and truancy officers; (13)
17 the relationship between a guardian ad litem, a juvenile's legal
18 counsel, and the judicial system with identified educational
19 staff regarding a juvenile's educational status; (14) examining
20 issues related to truancy and the relationship between the school
21 districts and the juvenile court system; (15) recidivism; (16) time
22 to permanency and time in court, especially when a guardian ad
23 litem is appointed; and (17) coordination of representation for
24 those juveniles that may have been appointed an attorney in a
25 juvenile delinquency matter and a guardian ad litem because of

1 abuse or neglect. The assessment shall also highlight promising
2 approaches and innovative practices within the state and offer
3 recommendations to improve weak areas.

4 Sec. 17. Section 33-102, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 33-102 The Secretary of State shall be entitled to,
7 for receiving, affixing the great seal to, and forwarding the
8 commission of a notary public, the sum of fifteen dollars and the
9 additional sum of fifteen dollars for filing and approving the bond
10 of a notary public. The Secretary of State shall be entitled to the
11 sum of fifteen dollars for receiving a renewal application pursuant
12 to section 64-104.

13 The fees received by the Secretary of State pursuant to
14 this section shall be remitted to the State Treasurer for credit
15 seventy-five percent to the General Fund and twenty-five percent to
16 the Administration Cash Fund which is hereby created. Transfers may
17 be made from the fund to the General Fund at the direction of the
18 Legislature. Any money in the Administration Cash Fund available
19 for investment shall be invested by the state investment officer
20 pursuant to the Nebraska Capital Expansion Act and the Nebraska
21 State Funds Investment Act.

22 Sec. 18. Section 37-351, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 37-351 There is hereby created a fund to be known as the
25 Nebraska Outdoor Recreation Development Cash Fund. The fund shall

1 contain the money received pursuant to section 77-2602 and any
 2 funds donated as gifts, bequests, or other contributions to such
 3 fund from public or private entities. Transfers may be made from
 4 the fund to the General Fund at the direction of the Legislature
 5 through June 30, 2011. Any money in the ~~fund~~ Nebraska Outdoor
 6 Recreation Development Cash Fund available for investment shall be
 7 invested by the state investment officer pursuant to the Nebraska
 8 Capital Expansion Act and the Nebraska State Funds Investment Act.

9 Sec. 19. Section 38-157, Reissue Revised Statutes of
 10 Nebraska, is amended to read:

11 38-157 (1) The Professional and Occupational
 12 Credentialing Cash Fund is created. Except as provided in
 13 section 71-17,113, the fund shall consist of all fees, gifts,
 14 grants, and other money, excluding fines and civil penalties,
 15 received or collected by the department under sections 38-151 to
 16 38-156.

17 (2) The department shall use the fund for the
 18 administration and enforcement of such laws regulating the
 19 individuals and businesses listed in section 38-121 except for
 20 a percentage of the fees credited to the Nebraska Regulation of
 21 Health Professions Fund pursuant to section 71-6228. Transfers may
 22 be made from the Professional and Occupational Credentialing Cash
 23 Fund to the General Fund at the direction of the Legislature.

24 (3) Any money in the Professional and Occupational
 25 Credentialing Cash Fund available for investment shall be invested

1 by the state investment officer pursuant to the Nebraska Capital
2 Expansion Act and the Nebraska State Funds Investment Act.

3 ~~(4) Any money in the Licensee Assistance Cash Fund on~~
4 ~~December 1, 2008, shall be transferred to the Professional and~~
5 ~~Occupational Credentialing Cash Fund.~~

6 Sec. 20. Section 39-1390, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 39-1390 The State Recreation Road Fund is created. The
9 money in the fund shall be transferred by the State Treasurer, on
10 the first day of each month, to the Department of Roads and shall
11 be expended by the Director-State Engineer with the approval of
12 the Governor for construction and maintenance of dustless-surface
13 roads to be designated as state recreation roads as provided in
14 this section, except that ~~for the period beginning July 1, 2003,~~
15 ~~and ending June 30, 2005, transfers may be made to the General Fund~~
16 ~~at the direction of the Legislature.~~ transfers may be made from
17 the fund to the General Fund at the direction of the Legislature
18 through June 30, 2011. Except as to roads under contract as
19 of March 15, 1972, only those roads, excluding state highways,
20 giving direct and immediate access to or located within state
21 parks, state recreation areas, or other recreational or historical
22 areas, shall be eligible for designation as state recreation
23 roads. Such eligibility shall be determined by the Game and Parks
24 Commission and certified to the Director-State Engineer, who shall,
25 after receiving such certification, be authorized to commence

1 construction on such recreation roads as funds are available. After
2 construction of such roads they shall be shown on the map provided
3 by section 39-1311. Preference in construction shall be based on
4 existing or potential traffic use by other than local residents.
5 Unless the State Highway Commission otherwise recommends, such
6 roads upon completion of construction shall be incorporated into
7 the state highway system. If such a road is not incorporated into
8 the state highway system, the Department of Roads and the county
9 within which such road is located shall enter into a maintenance
10 agreement establishing the responsibility for maintenance of the
11 road, the maintenance standards to be met, and the responsibility
12 for maintenance costs. Any money in the State Recreation Road Fund
13 available for investment shall be invested by the state investment
14 officer pursuant to the Nebraska Capital Expansion Act and the
15 Nebraska State Funds Investment Act.

16 Sec. 21. Section 46-1121, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 46-1121 (1) The fee for initial application for a permit
19 or special permit shall be thirty dollars payable to the district.
20 Twenty-five dollars of the fee shall be retained by the district
21 and five dollars paid by the district to the department.

22 The annual fee for renewal of a permit or special permit
23 shall be ten dollars paid to the district. Two dollars of the
24 annual fee shall be paid by the district to the department.

25 All fees shall be used by the district and the department

1 to administer the Nebraska Chemigation Act. The department's fee
2 shall be credited to the Chemigation Costs Fund which is hereby
3 created. All fees collected by the department pursuant to the act
4 shall be remitted to the State Treasurer for credit to the fund.
5 Transfers may be made from the fund to the General Fund at the
6 direction of the Legislature. Any money in the ~~fund~~ Chemigation
7 Costs Fund available for investment shall be invested by the state
8 investment officer pursuant to the Nebraska Capital Expansion Act
9 and the Nebraska State Funds Investment Act.

10 (2) All permits issued pursuant to sections 46-1117 and
11 46-1117.01 shall be annual permits and shall expire each year
12 on June 1. A permit may be renewed each year upon payment of
13 the annual renewal fee and completion of a form provided by the
14 district which lists the names of all chemicals used in chemigation
15 the previous year. Once a permit has expired, it shall not be
16 reinstated without meeting all of the requirements for a new permit
17 including an inspection and payment of the initial application fee.

18 Sec. 22. Section 46-1403, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 46-1403 There is hereby created the Water Well
21 Decommissioning Fund. The State Treasurer shall credit to the fund
22 for the uses and purposes of sections 46-1401 to 46-1405 such money
23 as is specifically appropriated and such funds, fees, donations,
24 gifts, services, or devises or bequests of real or personal
25 property received by the Department of Natural Resources from any

1 source, federal, state, public, or private, to be used by the
2 department for the purpose of accelerating the decommissioning of
3 illegal water wells. The department shall allocate money from the
4 fund for purposes of sections 46-1401 to 46-1405. The fund shall
5 be exempt from provisions relating to lapsing of appropriations.
6 Transfers may be made from the fund to the General Fund at the
7 direction of the Legislature. Any money in the fund Water Well
8 Decommissioning Fund available for investment shall be invested
9 by the state investment officer pursuant to the Nebraska Capital
10 Expansion Act and the Nebraska State Funds Investment Act.

11 Sec. 23. Section 47-632, Revised Statutes Supplement,
12 2009, is amended to read:

13 47-632 (1) The Community Corrections Uniform Data
14 Analysis Cash Fund is created. Except as provided in subsection (2)
15 of this section, the fund shall be established for administrative
16 purposes only within the Nebraska Commission on Law Enforcement
17 and Criminal Justice, shall be administered by the executive
18 director of the Community Corrections Council, and shall only
19 be used to support operations costs and analysis relating to
20 the implementation and coordination of the uniform analysis of
21 crime data pursuant to the Community Corrections Act, including
22 associated information technology projects, as specifically
23 approved by the executive director of the Community Corrections
24 Council. The fund shall consist of money collected pursuant to
25 section 47-633.

1 ~~(2) On May 28, 2009, the State Treasurer shall transfer~~
 2 ~~three hundred fifty thousand dollars from the Community Corrections~~
 3 ~~Uniform Data Analysis Cash Fund to the Violence Prevention Cash~~
 4 ~~Fund.~~

5 (2) Transfers may be made from the fund to the General
 6 Fund at the direction of the Legislature.

7 (3) Any money in the Community Corrections Uniform Data
 8 Analysis Cash Fund available for investment shall be invested
 9 by the state investment officer pursuant to the Nebraska Capital
 10 Expansion Act and the Nebraska State Funds Investment Act.

11 Sec. 24. Section 48-1,116, Revised Statutes Cumulative
 12 Supplement, 2008, is amended to read:

13 48-1,116 The Compensation Court Cash Fund is hereby
 14 created. The fund shall be used to aid in providing for the
 15 expense of administering the Nebraska Workers' Compensation Act and
 16 the payment of the salaries and expenses of the personnel of the
 17 Nebraska Workers' Compensation Court, except that transfers may be
 18 made from the fund to the General Fund at the direction of the
 19 Legislature through June 30, 2011.

20 All fees received pursuant to sections 48-120, 48-120.02,
 21 48-138, 48-139, 48-145.04, and 48-165 shall be remitted to the
 22 State Treasurer for credit to the Compensation Court Cash Fund. The
 23 fund shall also consist of amounts credited to the fund pursuant
 24 to sections 48-1,113, 48-1,114, and 77-912. The State Treasurer may
 25 receive and credit to the fund any money which may at any time be

1 contributed to the state or the fund by the federal government or
2 any agency thereof to which the state may be or become entitled
3 under any act of Congress or otherwise by reason of any payment
4 made from the fund.

5 Any money in the fund available for investment shall be
6 invested by the state investment officer pursuant to the Nebraska
7 Capital Expansion Act and the Nebraska State Funds Investment Act.

8 Sec. 25. Section 49-14,140, Revised Statutes Cumulative
9 Supplement, 2008, is amended to read:

10 49-14,140 The Nebraska Accountability and Disclosure
11 Commission Cash Fund is hereby created. The fund shall consist of
12 funds received by the commission pursuant to sections 49-1449.01,
13 49-1470, 49-1480.01, 49-1482, 49-1495, 49-14,123, and 49-14,123.01.
14 The fund shall not include late filing fees or civil penalties
15 assessed and collected by the commission. The fund shall be
16 used by the commission in administering the Nebraska Political
17 Accountability and Disclosure Act, except that transfers may be
18 made from the fund to the General Fund at the direction of the
19 Legislature through June 30, 2011. Any money in the ~~fund~~ Nebraska
20 Accountability and Disclosure Commission Cash Fund available for
21 investment shall be invested by the state investment officer
22 pursuant to the Nebraska Capital Expansion Act and the Nebraska
23 State Funds Investment Act.

24 Sec. 26. Section 50-114.05, Revised Statutes Cumulative
25 Supplement, 2008, is amended to read:

1 50-114.05 The Clerk of the Legislature Cash Fund is
2 hereby created. The fund shall consist of funds received by the
3 Clerk of the Legislature pursuant to sections 49-1480.01 and
4 49-1482. The fund shall be used by the Clerk of the Legislature
5 to perform the duties required by sections 49-1480 to 49-1492.01,
6 except that transfers may be made from the fund to the General Fund
7 at the direction of the Legislature. Any money in the ~~fund~~ Clerk
8 of the Legislature Cash Fund available for investment shall be
9 invested by the state investment officer pursuant to the Nebraska
10 Capital Expansion Act and the Nebraska State Funds Investment Act.

11 Sec. 27. Section 50-437, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 50-437 There is hereby created the Nebraska Legislative
14 Shared Information System Cash Fund, which fund shall consist of
15 fees received from services provided by the Legislature. Transfers
16 may be made from the fund to the General Fund at the direction of
17 the Legislature. Any money in the ~~fund~~ Nebraska Legislative Shared
18 Information System Cash Fund available for investment shall be
19 invested by the state investment officer pursuant to the Nebraska
20 Capital Expansion Act and the Nebraska State Funds Investment Act.

21 Sec. 28. Section 53-117.06, Revised Statutes Cumulative
22 Supplement, 2008, is amended to read:

23 53-117.06 Any money collected by the commission pursuant
24 to section 53-117.05 or 53-167.02 shall be credited to the
25 Nebraska Liquor Control Commission Rule and Regulation Cash Fund,

1 which fund is hereby created. The purpose of the fund shall
2 be to cover any costs incurred by the commission in producing
3 or distributing the material referred to in such sections
4 and to defray the costs associated with electronic regulatory
5 transactions, industry education events, enforcement training, and
6 equipment for regulatory work. Transfers may be made from the fund
7 to the General Fund at the direction of the Legislature. Any money
8 in the fund Nebraska Liquor Control Commission Rule and Regulation
9 Cash Fund available for investment shall be invested by the state
10 investment officer pursuant to the Nebraska Capital Expansion Act
11 and the Nebraska State Funds Investment Act.

12 Sec. 29. Section 54-857, Revised Statutes Cumulative
13 Supplement, 2008, is amended to read:

14 54-857 All money received pursuant to the Commercial Feed
15 Act shall be remitted by the director to the State Treasurer for
16 credit to the Commercial Feed Administration Cash Fund which is
17 hereby created. Such fund shall be used by the department to aid
18 in defraying the expenses of administering the act, except that
19 transfers may be made from the fund to the General Fund at the
20 direction of the Legislature. Any money in the fund Commercial Feed
21 Administration Cash Fund available for investment shall be invested
22 by the state investment officer pursuant to the Nebraska Capital
23 Expansion Act and the Nebraska State Funds Investment Act.

24 ~~On or before October 1, 2008, the State Treasurer shall~~
25 ~~transfer two hundred fifty thousand dollars from the Commercial~~

1 ~~Feed Administration Cash Fund to the Noxious Weed and Invasive~~
2 ~~Plant Species Assistance Fund.~~

3 Sec. 30. Section 54-2428, Revised Statutes Cumulative
4 Supplement, 2008, is amended to read:

5 54-2428 (1) Any person required to obtain a National
6 Pollutant Discharge Elimination System permit for an animal
7 feeding operation or a construction and operating permit for
8 a livestock waste control facility shall file an application
9 with the department accompanied by the appropriate fees in the
10 manner established by the department. The application fee shall
11 be established by the council with a maximum fee of two hundred
12 dollars. For major modifications to an application or a permit, the
13 fee shall equal the amount of the application fee.

14 (2) On or before March 1, 2006, and each year thereafter,
15 each person who has a National Pollutant Discharge Elimination
16 System permit or who has a large concentrated animal feeding
17 operation, as defined in 40 C.F.R. 122 and 123, as such regulations
18 existed on January 1, 2004, and a state operating permit, a
19 construction and operating permit, or a construction approval
20 issued pursuant to the Environmental Protection Act or the
21 Livestock Waste Management Act shall pay a per head annual fee
22 based on the permitted capacity identified in the permit for that
23 facility. The department shall invoice each permittee by February
24 1, 2006, and February 1 of each year thereafter.

25 (3) The initial annual fee shall be: Beef cattle, ten

1 cents per head; veal calves, ten cents per head; dairy cows,
2 fifteen cents per head; swine larger than fifty-five pounds, four
3 dollars per one hundred head or fraction thereof; swine less than
4 fifty pounds, one dollar per one hundred head or fraction thereof;
5 horses, twenty cents per head; sheep or lambs, one dollar per one
6 hundred head or fraction thereof; turkeys, two dollars per one
7 thousand head or fraction thereof; chickens or ducks with liquid
8 manure facility, three dollars per one thousand head or fraction
9 thereof; and chickens or ducks with other than liquid manure
10 facility, one dollar per one thousand head or fraction thereof.
11 This fee structure may be reviewed in fiscal year 2007-08.

12 (4) Beginning in fiscal year 2007-08, the department
13 shall annually review and adjust the fee structure in this section
14 and section 54-2423 to ensure that fees are adequate to meet twenty
15 percent of the program costs from the previous fiscal year. All
16 fees collected under this section and sections 54-2423, 54-2435,
17 and 54-2436 shall be remitted to the State Treasurer for credit to
18 the Livestock Waste Management Cash Fund which is created for the
19 purposes described in the Livestock Waste Management Act. Transfers
20 may be made from the fund to the General Fund at the direction of
21 the Legislature. Any money in the fund Livestock Waste Management
22 Cash Fund available for investment shall be invested by the state
23 investment officer pursuant to the Nebraska Capital Expansion Act
24 and the Nebraska State Funds Investment Act.

25 (5) On or before January 1 of each year, the department

1 shall submit a report to the Legislature in sufficient detail to
2 document all direct and indirect costs incurred in the previous
3 fiscal year in carrying out the Livestock Waste Management Act,
4 including the number of inspections conducted, the number of animal
5 feeding operations with livestock waste control facilities, the
6 number of animal feeding operations inspected, the size of the
7 livestock waste control facilities, the results of water quality
8 monitoring programs, and other elements relating to carrying out
9 the act. The Appropriations Committee of the Legislature shall
10 review the report in its analysis of executive programs in order
11 to verify that the revenue generated from fees was used solely to
12 offset appropriate and reasonable costs associated with carrying
13 out the act.

14 Sec. 31. Section 55-131, Revised Statutes Cumulative
15 Supplement, 2008, is amended to read:

16 55-131 The Military Department Cash Fund is created. The
17 fund shall be administered by the Adjutant General. The fund shall
18 consist of all nonfederal revenue received by the National Guard
19 pursuant to this section. The Adjutant General is hereby authorized
20 to accept by devise, gift, or otherwise and hold, as trustee, for
21 the benefit and use of the National Guard or any part thereof any
22 property, real or personal; to invest and reinvest the property;
23 to collect, receive, and recover the rents, incomes, and issues
24 from the property; and to expend them as provided by the terms
25 of the devise or gift, or if not so provided, to expend them for

1 the benefit and use of the National Guard as he or she in his
2 or her discretion shall determine, subject to the approval of the
3 Governor. Except as otherwise provided by law, all other money
4 received by the National Guard and derived from any other source
5 shall be remitted to the State Treasurer for credit to the Military
6 Department Cash Fund. Transfers may be made from the fund to the
7 General Fund at the direction of the Legislature. Any money in
8 the fund Military Department Cash Fund available for investment
9 shall be invested by the state investment officer pursuant to
10 the Nebraska Capital Expansion Act and the Nebraska State Funds
11 Investment Act.

12 Sec. 32. Section 57-705, Revised Statutes Supplement,
13 2009, is amended to read:

14 57-705 (1) All severance taxes levied by Chapter 57,
15 article 7, shall be paid to the Tax Commissioner. He or she shall
16 remit all such money received to the State Treasurer. All such
17 money received by the State Treasurer shall be credited to a
18 fund to be known as the Severance Tax Fund. An amount equal to
19 one percent of the gross severance tax receipts, excluding those
20 receipts from tax derived from oil and natural gas severed from
21 school lands, credited to the fund shall be credited by the State
22 Treasurer, upon the first day of each month, and shall inure to
23 the Severance Tax Administration Fund to be used for the expenses
24 of administering Chapter 57, article 7. Transfers may be made from
25 the Severance Tax Administration Fund to the General Fund at the

1 direction of the Legislature. The balance of the Severance Tax
2 Fund received from school lands shall be credited by the State
3 Treasurer, upon the first day of each month, and shall inure to the
4 permanent school fund.

5 (2) Of the balance of the Severance Tax Fund received
6 from other than school lands (a) the Legislature may transfer
7 an amount to be determined by the Legislature through the
8 appropriations process up to three hundred thousand dollars for
9 each year to the State Energy Office Cash Fund, (b) the Legislature
10 may transfer an amount to be determined by the Legislature through
11 the appropriations process up to thirty thousand dollars for
12 each year to the Public Service Commission for administration of
13 the Municipal Rate Negotiations Revolving Loan Fund, and (c) the
14 remainder shall be credited and inure to the permanent school fund.

15 (3) The State Treasurer shall transfer two hundred fifty
16 thousand dollars from the Severance Tax Administration Fund to the
17 Department of Revenue Enforcement Fund on July 1, 2009, or as soon
18 thereafter as administratively possible. The State Treasurer shall
19 transfer two hundred fifty thousand dollars from the Severance
20 Tax Administration Fund to the Department of Revenue Enforcement
21 Fund on July 1, 2010, or as soon thereafter as administratively
22 possible.

23 Sec. 33. Section 57-919, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 57-919 (1) All money collected by the Tax Commissioner

1 or the commission or as civil penalties under sections 57-901 to
2 57-921 shall be remitted to the State Treasurer for credit to a
3 special fund to be known as the Oil and Gas Conservation Fund.
4 Expenses incident to the administration of such sections shall be
5 paid out of the fund. Transfers may be made from the fund to the
6 General Fund at the direction of the Legislature. Any money in
7 the ~~fund~~ Oil and Gas Conservation Fund available for investment
8 shall be invested by the state investment officer pursuant to
9 the Nebraska Capital Expansion Act and the Nebraska State Funds
10 Investment Act.

11 (2) There is hereby levied and assessed on the value
12 at the well of all oil and gas produced, saved, and sold or
13 transported from the premises in Nebraska where produced a charge
14 not to exceed fifteen mills on the dollar. The commission shall
15 by order fix the amount of such charge in the first instance and
16 may, from time to time, reduce or increase the amount thereof as
17 in its judgment the expenses chargeable against the Oil and Gas
18 Conservation Fund may require, except that the amounts fixed by the
19 commission shall not exceed the limit prescribed in this section.
20 It shall be the duty of the Tax Commissioner to make collection
21 of such assessments. The persons owning an interest, a working
22 interest, a royalty interest, payments out of production, or any
23 other interest in the oil and gas, or in the proceeds thereof,
24 subject to the charge provided for in this section shall be liable
25 to the producer for such charge in proportion to their ownership

1 at the time of production. The producer shall, on or before the
2 last day of the month next succeeding the month in which the charge
3 was assessed, file a report or return in such form as prescribed
4 by the commission and Tax Commissioner together with all charges
5 due. In the event of a sale of oil or gas within this state,
6 the first purchaser shall file this report or return together
7 with any charges then due. If the final filing date falls on a
8 Saturday, Sunday, or legal holiday, the next secular or business
9 day shall be the final filing date. Such reports or returns shall
10 be considered filed on time if postmarked before midnight of the
11 final filing date. Any such charge not paid within the time herein
12 specified shall bear interest at the rate specified in section
13 45-104.02, as such rate may from time to time be adjusted, from the
14 date of delinquency until paid, and such charge together with the
15 interest shall be a lien as provided in section 57-702. The Tax
16 Commissioner shall charge and collect a penalty for the delinquency
17 in the amount of one percent of the charge for each month or part
18 of the month that the charge has remained delinquent, but in no
19 event shall the penalty be more than twenty-five percent of the
20 charge. The Tax Commissioner may waive all or part of the penalty
21 provided in this section but shall not waive the interest. The
22 person remitting the charge as provided in this section is hereby
23 authorized, empowered, and required to deduct from any amounts
24 due the persons owning an interest in the oil and gas or in
25 the proceeds thereof at the time of production the proportionate

1 amount of such charge before making payment to such persons. This
2 subsection shall apply to all lands in the State of Nebraska,
3 anything in section 57-920 to the contrary notwithstanding, except
4 that there shall be exempted from the charge levied and assessed
5 in this section the following: (a) The interest of the United
6 States of America and the interest of the State of Nebraska and
7 the political subdivisions thereof in any oil or gas or in the
8 proceeds thereof; (b) the interest of any Indian or Indian tribe
9 in any oil or gas or in the proceeds thereof produced from land
10 subject to the supervision of the United States; and (c) oil and
11 gas used in producing operations or for repressuring or recycling
12 purposes. All money so collected shall be remitted to the State
13 Treasurer for credit to the Oil and Gas Conservation Fund and
14 shall be used exclusively to pay the costs and expenses incurred
15 in connection with the administration and enforcement of sections
16 57-901 to 57-921.

17 Sec. 34. Section 59-1608.04, Revised Statutes Cumulative
18 Supplement, 2008, is amended to read:

19 59-1608.04 The State Settlement Cash Fund is created.
20 The fund shall be maintained by the Department of Justice and
21 administered by the Attorney General. Except as otherwise provided
22 by law, the fund shall consist of all recoveries received pursuant
23 to the Consumer Protection Act, including any money, funds,
24 securities, or other things of value in the nature of civil
25 damages or other payment, except criminal penalties, whether such

1 recovery is by way of verdict, judgment, compromise, or settlement
2 in or out of court, or other final disposition of any case or
3 controversy, or any other payments received on behalf of the state
4 by the Department of Justice and administered by the Attorney
5 General for the benefit of the state or the general welfare of its
6 citizens, but excluding all funds held in a trust capacity where
7 specific benefits accrue to specific individuals, organizations,
8 or governments. All money in the fund shall be subject to
9 legislative review and shall be appropriated and expended for
10 any allowable legal purposes as determined by the Legislature.
11 The fund shall only be appropriated to a separate and distinct
12 budget program and such appropriations shall only be expended
13 from a separate and distinct budget subprogram and shall not be
14 commingled with any other revenue or expenditure. Transfers may
15 be made from the fund to the General Fund at the direction of
16 the Legislature. To provide necessary financial accountability and
17 management oversight, revenue from individual settlement agreements
18 or other separate sources credited to the ~~fund~~ State Settlement
19 Cash Fund may be tracked and accounted for within the state
20 accounting system through the use of separate and distinct funds,
21 subfunds, or any other available accounting mechanism specifically
22 approved by the Accounting Administrator for use by the Department
23 of Justice. Any money in the fund available for investment shall be
24 invested by the state investment officer pursuant to the Nebraska
25 Capital Expansion Act and the Nebraska State Funds Investment Act.

1 Sec. 35. Section 60-3,218, Revised Statutes Cumulative
2 Supplement, 2008, is amended to read:

3 60-3,218 (1) There is hereby created the Nebraska
4 Snowmobile Trail Cash Fund into which shall be deposited the
5 portion of the fees collected from snowmobile registration as
6 provided in section 60-3,217.

7 (2) The Game and Parks Commission shall use the money
8 in the Nebraska Snowmobile Trail Cash Fund for the operation,
9 maintenance, enforcement, planning, establishment, and marking of
10 snowmobile trails throughout the state and for the acquisition by
11 purchase or lease of real property to carry out the provisions of
12 this section.

13 (3) The commission shall establish rules and regulations
14 pertaining to the use and maintenance of snowmobile trails.

15 (4) Transfers may be made from the Nebraska Snowmobile
16 Trail Cash Fund to the General Fund at the direction of the
17 Legislature through June 30, 2011. Any money in the Nebraska
18 Snowmobile Trail Cash Fund available for investment shall be
19 invested by the state investment officer pursuant to the Nebraska
20 Capital Expansion Act and the Nebraska State Funds Investment Act.

21 Sec. 36. Section 60-1409, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 60-1409 The Nebraska Motor Vehicle Industry Licensing
24 Fund is created. All fees collected under Chapter 60, article
25 14, shall be remitted by the board, as collected, to the State

1 Treasurer for credit to the fund. Such fund shall be appropriated
2 by the Legislature for the operations of the Nebraska Motor Vehicle
3 Industry Licensing Board and shall be paid out from time to time
4 by warrants of the Director of Administrative Services on the State
5 Treasurer for authorized expenditures upon duly itemized vouchers
6 executed as provided by law and approved by the chairperson of
7 the board or the executive secretary, except that transfers from
8 the fund to the General Fund may be made at the direction of
9 the Legislature through June 30, 2011. The expenses of conducting
10 the office must always be kept within the income collected and
11 reported to the State Treasurer by such board. Such office and
12 expense thereof shall not be supported or paid from the General
13 Fund, and all money deposited in the Nebraska Motor Vehicle
14 Industry Licensing Fund shall be expended only for such office
15 and expense thereof and, unless determined by the board, it shall
16 not be required to expend any funds to any person or any other
17 governmental agency.

18 Any money in the Nebraska Motor Vehicle Industry
19 Licensing Fund available for investment shall be invested by the
20 state investment officer pursuant to the Nebraska Capital Expansion
21 Act and the Nebraska State Funds Investment Act. The fund shall be
22 audited annually by the Auditor of Public Accounts.

23 The State Treasurer shall transfer five hundred thousand
24 dollars from the Nebraska Motor Vehicle Industry Licensing Fund to
25 the General Fund within fifteen days after July 1, 2002.

1 Sec. 37. Section 60-2132, Revised Statutes Supplement,
2 2009, is amended to read:

3 60-2132 There is hereby created a Motorcycle Safety
4 Education Fund in the state treasury which shall consist of money
5 transferred pursuant to sections 39-2215 and 60-4,115 and such
6 money as may be appropriated by the Legislature. The fund shall
7 be administered by the department. The fund shall be used for the
8 administration of the Motorcycle Safety Education Act, to reimburse
9 approved schools, businesses, or organizations for conducting
10 approved basic motorcycle safety courses, to provide educational
11 assistance, to prepare sites for offering the basic motorcycle
12 safety course, to reimburse approved schools, businesses, or
13 organizations for conducting approved advanced motorcycle safety
14 courses, and to promote motorcycle safety, except that transfers
15 may be made from the fund to the General Fund at the direction of
16 the Legislature. Any money in the ~~fund~~ Motorcycle Safety Education
17 Fund available for investment shall be invested by the state
18 investment officer pursuant to the Nebraska Capital Expansion Act
19 and the Nebraska State Funds Investment Act.

20 Sec. 38. Section 61-210, Revised Statutes Cumulative
21 Supplement, 2008, is amended to read:

22 61-210 The Department of Natural Resources Cash Fund
23 is created. The State Treasurer shall credit to such fund such
24 money as is specifically appropriated or reappropriated by the
25 Legislature. The State Treasurer shall also credit such fund with

1 payments, if any, accepted for services rendered by the department
2 and fees collected pursuant to subsection (6) of section 46-606
3 and section 61-209. The funds made available to the Department
4 of Natural Resources by the United States, through the Natural
5 Resources Conservation Service of the Department of Agriculture or
6 through any other agencies, shall be credited to the fund by the
7 State Treasurer. Any money in the fund available for investment
8 shall be invested by the state investment officer pursuant to
9 the Nebraska Capital Expansion Act and the Nebraska State Funds
10 Investment Act. The Department of Natural Resources shall allocate
11 money from the fund to pay costs of the programs or activities
12 of the department. The Director of Administrative Services, upon
13 receipt of proper vouchers approved by the department, shall issue
14 warrants on the fund, and the State Treasurer shall countersign and
15 pay from, but never in excess of, the amounts to the credit of the
16 fund. Transfers may be made from the fund to the General Fund at
17 the direction of the Legislature.

18 Sec. 39. Section 61-218, Revised Statutes Cumulative
19 Supplement, 2008, is amended to read:

20 61-218 (1) The Water Resources Cash Fund is created. The
21 fund shall be administered by the Department of Natural Resources.
22 Transfers may be made from the fund to the General Fund at the
23 direction of the Legislature. Any money in the fund Water Resources
24 Cash Fund available for investment shall be invested by the state
25 investment officer pursuant to the Nebraska Capital Expansion Act

1 and the Nebraska State Funds Investment Act.

2 (2) The State Treasurer shall credit to the fund such
3 money as is (a) transferred to the fund by the Legislature, (b)
4 paid to the state as fees, deposits, payments, and repayments
5 relating to the fund, both principal and interest, (c) donated as
6 gifts, bequests, or other contributions to such fund from public or
7 private entities, (d) made available by any department or agency of
8 the United States if so directed by such department or agency, and
9 (e) credited to the fund from the excise taxes imposed by section
10 66-1345.01 beginning January 1, 2013.

11 (3) The fund shall be expended by the department (a)
12 to aid management actions taken to reduce consumptive uses of
13 water in river basins, subbasins, or reaches which are deemed
14 by the department overappropriated pursuant to section 46-713 or
15 fully appropriated pursuant to section 46-714 or are bound by
16 an interstate compact or decree or a formal state contract or
17 agreement and (b) to the extent funds are not expended pursuant to
18 subdivision (a) of this subsection, the department may conduct a
19 statewide assessment of short-term and long-term water management
20 activities and funding needs to meet statutory requirements in
21 sections 46-713 to 46-718 and 46-739 and any requirements of an
22 interstate compact or decree or formal state contract or agreement.
23 The fund shall not be used to pay for administrative expenses or
24 any salaries for the department or any political subdivision.

25 (4) It is the intent of the Legislature that two million

1 seven hundred thousand dollars be transferred each fiscal year from
2 the General Fund to the Water Resources Cash Fund for FY2009-10
3 through FY2018-19.

4 (5) (a) Expenditures from the Water Resources Cash
5 Fund may be made to natural resources districts eligible under
6 subsection (3) of this section for activities to either achieve a
7 sustainable balance of consumptive water uses or assure compliance
8 with an interstate compact or decree or a formal state contract
9 or agreement and shall require a match of local funding in an
10 amount equal to or greater than forty percent of the total cost
11 of carrying out the eligible activity. The department shall, no
12 later than August 1 of each year, beginning in 2007, determine the
13 amount of funding that will be made available to natural resources
14 districts from the Water Resources Cash Fund and notify natural
15 resources districts of this determination. The department shall
16 adopt and promulgate rules and regulations governing application
17 for and use of the Water Resources Cash Fund by natural resources
18 districts. Such rules and regulations shall, at a minimum, include
19 the following components:

20 (i) Require an explanation of how the planned activity
21 will assure compliance with an interstate compact or decree or a
22 formal state contract or agreement as required by section 46-715
23 and the controls, rules, and regulations designed to carry out the
24 activity; and

25 (ii) A schedule of implementation of the activity or its

1 components.

2 (b) Any natural resources district that fails to
3 implement and enforce its controls, rules, and regulations as
4 required by section 46-715 shall not be eligible for funding
5 from the Water Resources Cash Fund until it is determined by the
6 department that compliance with the provisions required by section
7 46-715 has been established.

8 (6) The Department of Natural Resources shall submit an
9 annual report to the Legislature no later than October 1 of each
10 year, beginning in the year 2007, that shall detail the use of the
11 Water Resources Cash Fund in the previous year. The report shall
12 provide:

13 (a) Details regarding the use and cost of activities
14 carried out by the department; and

15 (b) Details regarding the use and cost of activities
16 carried out by each natural resources district that received funds
17 from the Water Resources Cash Fund.

18 Sec. 40. Section 66-739, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 66-739 There is hereby created the Motor Fuel Tax
21 Enforcement and Collection Cash Fund. Such fund shall consist of
22 appropriations to the fund and money transferred to it pursuant to
23 section 39-2215. The fund shall be used exclusively for the costs
24 of the Motor Fuel Tax Enforcement and Collection Division created
25 by section 66-738 and other related costs for the Department of

1 Agriculture, the Nebraska State Patrol, and functional areas of
2 the Department of Revenue as provided by such section, except that
3 transfers may be made from the fund to the General Fund at the
4 direction of the Legislature. Any money in the ~~fund~~ Motor Fuel
5 Tax Enforcement and Collection Cash Fund available for investment
6 shall be invested by the state investment officer pursuant to
7 the Nebraska Capital Expansion Act and the Nebraska State Funds
8 Investment Act.

9 Sec. 41. Section 66-1521, Revised Statutes Supplement,
10 2009, is amended to read:

11 66-1521 (1) A petroleum release remedial action fee is
12 hereby imposed upon the producer, refiner, importer, distributor,
13 wholesaler, or supplier who engages in the sale, distribution,
14 delivery, and use of petroleum within this state, except that the
15 fee shall not be imposed on petroleum that is exported. The fee
16 shall also be imposed on diesel fuel which is indelibly dyed. The
17 amount of the fee shall be nine-tenths of one cent per gallon on
18 motor vehicle fuel as defined in section 66-482 and three-tenths of
19 one cent per gallon on diesel fuel as defined in section 66-482.
20 The amount of the fee shall be used first for payment of claims
21 approved by the State Claims Board pursuant to section 66-1531;
22 second, up to three million dollars of the fee per year shall be
23 used for reimbursement of owners and operators under the Petroleum
24 Release Remedial Action Act for investigations of releases ordered
25 pursuant to section 81-15,124; and third, the remainder of the fee

1 shall be used for any other purpose authorized by section 66-1519.
2 The fee shall be paid by all producers, refiners, importers,
3 distributors, wholesalers, and suppliers subject to the fee by
4 filing a monthly return on or before the twenty-fifth day of
5 the calendar month following the monthly period to which it
6 relates. The pertinent provisions, specifically including penalty
7 provisions, of the motor fuel laws as defined in section 66-712
8 shall apply to the administration and collection of the fee except
9 for the treatment given refunds. There shall be a refund allowed
10 on any fee paid on petroleum which was taxed and then exported,
11 destroyed, or purchased for use by the United States Government
12 or its agencies. The department may also adjust for all errors in
13 the payment of the fee. In each calendar year, no claim for refund
14 related to the fee can be for an amount less than ten dollars.

15 (2) No producer, refiner, importer, distributor,
16 wholesaler, or supplier shall engage in the sale, distribution,
17 delivery, or use of petroleum in this state without having first
18 obtained a petroleum release remedial action license. Application
19 for a license shall be made to the Motor Fuel Tax Enforcement
20 and Collection Division of the Department of Revenue upon a form
21 prepared and furnished by the division. If the applicant is an
22 individual, the application shall include the applicant's social
23 security number. Failure to obtain a license prior to engaging
24 in the sale, distribution, delivery, or use of petroleum shall
25 be a Class IV misdemeanor. The division may suspend or cancel

1 the license of any producer, refiner, importer, distributor,
2 wholesaler, or supplier who fails to pay the fee imposed by
3 subsection (1) of this section in the same manner as licenses are
4 suspended or canceled pursuant to section 66-720.

5 (3) The division may adopt and promulgate rules and
6 regulations necessary to carry out this section.

7 (4) The division shall deduct and withhold from the
8 petroleum release remedial action fee collected pursuant to this
9 section an amount sufficient to reimburse the direct costs of
10 collecting and administering the petroleum release remedial action
11 fee. Such costs shall not exceed one hundred fifty thousand dollars
12 for each fiscal year. The one hundred fifty thousand dollars shall
13 be prorated, based on the number of months the fee is collected,
14 whenever the fee is collected for only a portion of a year.
15 The amount deducted and withheld for costs shall be deposited in
16 the Petroleum Release Remedial Action Collection Fund which is
17 hereby created. The Petroleum Release Remedial Action Collection
18 Fund shall be appropriated to the Department of Revenue, except
19 that transfers may be made from the fund to the General Fund at
20 the direction of the Legislature. Any money in the ~~fund~~ Petroleum
21 Release Remedial Action Collection Fund available for investment
22 shall be invested by the state investment officer pursuant to
23 the Nebraska Capital Expansion Act and the Nebraska State Funds
24 Investment Act.

25 (5) The division shall collect the fee imposed by

1 subsection (1) of this section.

2 Sec. 42. Section 66-1839, Revised Statutes Supplement,
3 2009, is amended to read:

4 66-1839 (1) The Municipal Rate Negotiations Revolving
5 Loan Fund is created. The fund shall be used to make loans to
6 cities for rate negotiations under section 66-1838 or negotiations
7 or litigation under section 66-1867, except that transfers may be
8 made from the fund to the General Fund at the direction of the
9 Legislature. Only one loan may be made for each rate filing made
10 by a jurisdictional utility within the scope of each section. Money
11 in the Municipal Natural Gas Regulation Revolving Loan Fund that is
12 not necessary to finance rate proceedings initiated prior to May
13 31, 2003, shall be transferred to the Municipal Rate Negotiations
14 Revolving Loan Fund on May 31, 2003, and repayments of loans or
15 other obligations owing to the Municipal Natural Gas Regulation
16 Revolving Loan Fund on May 31, 2003, shall be deposited in the
17 Municipal Rate Negotiations Revolving Loan Fund upon receipt. Any
18 obligations against or commitments of money from the Municipal
19 Natural Gas Regulation Revolving Loan Fund on May 31, 2003, shall
20 be obligations or commitments of the Municipal Rate Negotiations
21 Revolving Loan Fund.

22 (2) The Municipal Rate Negotiations Revolving Loan Fund
23 shall be administered by the commission which shall adopt and
24 promulgate rules and regulations to carry out this section. The
25 rules and regulations shall include:

1 (a) Loan application procedures and forms; and
2 (b) Fund-use monitoring and quarterly accounting of fund
3 use.

4 (3) Applicants for a loan from the fund shall provide
5 a budget statement which specifies the proposed use of the loan
6 proceeds. Such proceeds may only be used for the costs and
7 expenses incurred by the city to analyze rate filings for the
8 purposes specified in section 66-1838 or 66-1867. Such costs and
9 expenses may include the cost of rate consultants and attorneys
10 and any other necessary costs related to the negotiation process
11 or litigation under section 66-1867. Disbursements from the fund
12 shall be audited by the commission. The affected jurisdictional
13 utility may petition the commission to initiate a proceeding to
14 determine whether the disbursements from the fund were expended
15 by the negotiating cities consistent with the requirements of this
16 section.

17 (4) The fund shall be audited as part of the regular
18 audit of the commission's budget, and copies of the audit shall
19 be available to all cities and any jurisdictional utility. Audits
20 conducted pursuant to this section are public records.

21 (5) Any money in the fund available for investment
22 shall be invested by the state investment officer pursuant to
23 the Nebraska Capital Expansion Act and the Nebraska State Funds
24 Investment Act. If the fund balance exceeds four hundred thousand
25 dollars, the income on the money in the fund shall be credited to

1 the permanent school fund until the balance of the Municipal Rate
2 Negotiations Revolving Loan Fund falls below such amount.

3 (6) A city which receives a loan under this section shall
4 be responsible to provide for the opportunity for all other cities
5 engaged in the same negotiations with the same jurisdictional
6 utility to participate in all negotiations. Such city shall not
7 exclude any other city from the information or benefits accruing
8 from the use of loan funds.

9 (7) Upon the conclusion of negotiations, regardless of
10 the result, the loan shall be repaid by the jurisdictional utility
11 to the commission within thirty days after the date upon which it
12 is billed by the commission. The utility shall recover the amount
13 paid on the loan by a special surcharge on ratepayers who are or
14 will be affected by the rate increase request. These ratepayers may
15 be billed on their monthly statements for a period not to exceed
16 twelve months, and the surcharge may be shown as a separate item on
17 the statements as a charge for rate negotiation expenses.

18 Sec. 43. Section 70-1020, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 70-1020 In order to defray the expenses of the Nebraska
21 Power Review Board, there shall be imposed upon each public power
22 district, public power and irrigation district, electric membership
23 association, electric cooperative company, and municipality having
24 an electric distribution system or generation and distribution
25 system, and also upon all registered groups of municipalities, an

1 assessment each fiscal year in such sum as shall be determined
2 by the board and approved by the Governor. The total of such
3 assessments shall not exceed the expenses of the board which may
4 reasonably be anticipated for the fiscal year for which assessment
5 is made and shall be apportioned among the various agencies in
6 proportion to their gross income in the preceding calendar year.
7 The board shall determine and certify such assessment to each
8 supplier after approval of the board's budget by the Legislature
9 and Governor. The supplier shall remit the amount of its assessment
10 to the board within forty-five days after the mailing of the
11 assessment. Any assessment not paid when due shall draw interest
12 at a rate equal to the rate of interest allowed per annum under
13 section 45-104.02, as such rate may from time to time be adjusted.
14 The proceeds of such assessment shall be remitted to the State
15 Treasurer for credit to the Nebraska Power Review Fund, which fund
16 is hereby created and which, when appropriated by the Legislature,
17 shall be used to administer the powers granted to the Nebraska
18 Power Review Board, except that transfers may be made from the fund
19 to the General Fund at the direction of the Legislature. Any money
20 in the ~~fund~~ Nebraska Power Review Fund available for investment
21 shall be invested by the state investment officer pursuant to
22 the Nebraska Capital Expansion Act and the Nebraska State Funds
23 Investment Act.

24 Sec. 44. Section 71-222.02, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 71-222.02 All funds collected in the administration of
2 the Barber Act shall be remitted to the State Treasurer for credit
3 to the Board of Barber Examiners Fund which is hereby created and
4 which shall be expended only for the administration of the act,
5 except that transfers may be made from the fund to the General Fund
6 at the direction of the Legislature. Any money in the ~~fund~~ Board
7 of Barber Examiners Fund available for investment shall be invested
8 by the state investment officer pursuant to the Nebraska Capital
9 Expansion Act and the Nebraska State Funds Investment Act.

10 Sec. 45. Section 71-4732, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 71-4732 There is hereby created a Commission for the
13 Deaf and Hard of Hearing Fund to consist of such funds as the
14 Legislature shall appropriate, any funds received under sections
15 20-156 and 71-4731, and any fees collected for interpreter services
16 as provided in section 71-4728. The fund shall be used to
17 administer sections 20-156 and 71-4720 to 71-4732.01, except that
18 (1) money in the fund from fees collected for interpreter services
19 shall be used only for expenses related to the provision of such
20 services, and (2) money in the fund may only be used to provide
21 services pursuant to section 71-4728.04 if there is no money in
22 the Telehealth System Fund, and (3) transfers may be made from
23 the Commission for the Deaf and Hard of Hearing Fund to the
24 General Fund at the direction of the Legislature. Any money in
25 the Commission for the Deaf and Hard of Hearing Fund available

1 for investment shall be invested by the state investment officer
2 pursuant to the Nebraska Capital Expansion Act and the Nebraska
3 State Funds Investment Act.

4 Sec. 46. Section 71-5661, Revised Statutes Cumulative
5 Supplement, 2008, is amended to read:

6 71-5661 (1) The financial incentives provided by the
7 Rural Health Systems and Professional Incentive Act shall consist
8 of (a) student loans to eligible students for attendance at an
9 eligible school as determined pursuant to section 71-5662 and
10 (b) the repayment of qualified educational debts owed by eligible
11 health professionals as determined pursuant to such section. Funds
12 for such incentives shall be appropriated from the General Fund to
13 the department for such purposes.

14 (2) The Rural Health Professional Incentive Fund is
15 created. The fund shall be used to carry out the purposes of the
16 act, except that transfers may be made from the fund to the General
17 Fund at the direction of the Legislature. Money credited pursuant
18 to section 71-5670.01 and payments received pursuant to sections
19 71-5666 and 71-5668 shall be remitted to the State Treasurer for
20 credit to the ~~fund-~~ Rural Health Professional Incentive Fund. Any
21 money in the fund available for investment shall be invested by the
22 state investment officer pursuant to the Nebraska Capital Expansion
23 Act and the Nebraska State Funds Investment Act.

24 Sec. 47. Section 71-5714, Revised Statutes Cumulative
25 Supplement, 2008, is amended to read:

1 71-5714 The Tobacco Prevention and Control Cash
2 Fund is created. The fund shall be used for a comprehensive
3 statewide tobacco-related public health program administered by
4 the Department of Health and Human Services which includes, but
5 is not limited to (1) community programs to reduce tobacco use,
6 (2) chronic disease programs, (3) school programs, (4) statewide
7 programs, (5) enforcement, (6) counter marketing, (7) cessation
8 programs, (8) surveillance and evaluation, and (9) administration.
9 Transfers may be made from the fund to the General Fund at the
10 direction of the Legislature. Any money in the Tobacco Prevention
11 and Control Cash Fund available for investment shall be invested
12 by the state investment officer pursuant to the Nebraska Capital
13 Expansion Act and the Nebraska State Funds Investment Act.

14 Sec. 48. Section 71-8612, Revised Statutes Cumulative
15 Supplement, 2008, is amended to read:

16 71-8612 The Commission for the Blind and Visually
17 Impaired Cash Fund is created. The fund shall contain money
18 received pursuant to the Commission for the Blind and Visually
19 Impaired Act and shall include a percentage of the net proceeds
20 derived from the operation of vending facilities. The net proceeds
21 from the operation of vending facilities shall accrue to the
22 blind vending facility operator, except for the percentage of
23 the net proceeds that shall revert to the cash fund. Such fund
24 shall be used for supervision and other administrative purposes
25 as necessary, except that transfers may be made from the fund

1 to the General Fund at the direction of the Legislature. The
2 commission, in consultation with the Committee of Blind Vendors,
3 shall determine the percentage of the net proceeds that reverts
4 to the ~~fund~~ Commission for the Blind and Visually Impaired Cash
5 Fund after an investigation to reveal the gross proceeds, cost of
6 operation, amount necessary to replenish the stock of merchandise,
7 and the business needs of the blind vending facility operator. All
8 equipment purchased from the fund is the property of the state and
9 shall be disposed of only by sale at a fair market price. Any money
10 in the fund available for investment shall be invested by the state
11 investment officer pursuant to the Nebraska Capital Expansion Act
12 and the Nebraska State Funds Investment Act.

13 Sec. 49. Section 72-2009, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 72-2009 The Niobrara Council Fund is created. The fund
16 shall be administered by the Niobrara Council. The council may
17 accept any private or public funds to carry out its work and
18 such funds shall be remitted to the State Treasurer for credit
19 to the fund. The fund shall consist of such funds and legislative
20 appropriations made to the council. Transfers may be made from
21 the fund to the General Fund at the direction of the Legislature
22 through June 30, 2011. Any money in the ~~fund~~ Niobrara Council Fund
23 available for investment shall be invested by the state investment
24 officer pursuant to the Nebraska Capital Expansion Act and the
25 Nebraska State Funds Investment Act.

1 Sec. 50. Section 72-2211, Revised Statutes Cumulative
2 Supplement, 2008, is amended to read:

3 72-2211 The Capitol Restoration Cash Fund is created. The
4 administrator shall administer the fund, which shall consist of
5 money received from the sale of material, rental revenue, private
6 donations, and public donations. The fund shall be used to finance
7 projects to restore the State Capitol and capitol grounds to their
8 original condition, to purchase and conserve items to be added to
9 the Nebraska Capitol Collections housed in the State Capitol, and
10 to produce promotional material concerning the State Capitol, its
11 grounds, and the Nebraska State Capitol Environs District, except
12 that transfers may be made from the fund to the General Fund at the
13 direction of the Legislature. Such expenditures shall be prescribed
14 by the administrator and approved by the commission. Any money in
15 the Capitol Restoration Cash Fund available for investment shall be
16 invested by the state investment officer pursuant to the Nebraska
17 Capital Expansion Act and the Nebraska State Funds Investment Act.

18 Sec. 51. Section 72-2501, Revised Statutes Cumulative
19 Supplement, 2008, is amended to read:

20 72-2501 The Nebraska Incentives Fund is created. ~~Any~~
21 ~~money in the Employment and Investment Growth Fund, the Invest~~
22 ~~Nebraska Fund, the Nebraska Advantage Fund, the Nebraska Advantage~~
23 ~~Rural Development Fund, the Quality Jobs Fund, or the Rural~~
24 ~~Economic Opportunities Fund, on July 18, 2008, shall be transferred~~
25 ~~by the State Treasurer to the Nebraska Incentives Fund. Transfers~~

1 may be made from the fund to the General Fund at the direction
2 of the Legislature. Any money in the fund Nebraska Incentives Fund
3 available for investment shall be invested by the state investment
4 officer pursuant to the Nebraska Capital Expansion Act and the
5 Nebraska State Funds Investment Act.

6 Sec. 52. Section 76-549, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 76-549 (1) All fees collected pursuant to the Abstracters
9 Act shall be deposited in the state treasury to be credited to the
10 Abstracters Board of Examiners Cash Fund which is hereby created.
11 All actual and necessary expenses of the board shall be paid from
12 such fund.

13 (2) No member of the board shall receive a salary. Each
14 member of the board shall receive as compensation for each day
15 or part thereof of actual service while attending meetings or
16 otherwise engaged upon the business of the board fifty dollars
17 and expenses incurred in the performance of official duties. The
18 director shall be paid a salary to be determined by the board.

19 (3) Transfers may be made from the Abstracters Board
20 of Examiners Cash Fund to the General Fund at the direction of
21 the Legislature. Any money in the Abstracters Board of Examiners
22 Cash Fund available for investment shall be invested by the state
23 investment officer pursuant to the Nebraska Capital Expansion Act
24 and the Nebraska State Funds Investment Act.

25 Sec. 53. Section 76-2226, Revised Statutes Cumulative

1 Supplement, 2008, is amended to read:

2 76-2226 There is hereby created the Real Property
3 Appraiser Fund. The board may use the fund for the administration
4 and enforcement of the Real Property Appraiser Act and to meet
5 the necessary expenditures of the board. The fund shall include
6 a sufficient cash fund balance as determined by the board. The
7 expense of administering and enforcing the act shall not exceed
8 the money collected by the board under the act. Transfers may be
9 made from the fund to the General Fund at the direction of the
10 Legislature. Any money in the ~~fund~~ Real Property Appraiser Fund
11 available for investment shall be invested by the state investment
12 officer pursuant to the Nebraska Capital Expansion Act and the
13 Nebraska State Funds Investment Act.

14 Sec. 54. Section 77-3,110, Reissue Revised Statutes of
15 Nebraska, is amended to read:

16 77-3,110 All funds received pursuant to sections 77-3,109
17 and 77-3,118 shall be remitted to the State Treasurer for credit
18 to the Department of Revenue Miscellaneous Receipts Fund which is
19 hereby created. All money in the fund shall be administered by
20 the Department of Revenue and shall be used to defray the cost of
21 production of the publications listed in section 77-3,109 or of
22 the listings described in section 77-3,118, except that transfers
23 may be made from the fund to the General Fund at the direction
24 of the Legislature. Any money in the ~~fund~~ Department of Revenue
25 Miscellaneous Receipts Fund available for investment shall be

1 invested by the state investment officer pursuant to the Nebraska
2 Capital Expansion Act and the Nebraska State Funds Investment Act.

3 Sec. 55. Section 77-1342, Revised Statutes Supplement,
4 2009, is amended to read:

5 77-1342 There is hereby created a fund to be known as
6 the Department of Revenue Property Assessment Division Cash Fund
7 to which shall be credited all money received by the Department
8 of Revenue for services performed for county and multicounty
9 assessment districts, for charges for publications, manuals, and
10 lists, as an assessor's examination fee authorized by section
11 77-421, and under the provisions of sections 60-3,202, 77-684,
12 77-1250, and 77-1340. The fund shall be used to carry out
13 any duties and responsibilities of the department, except that
14 transfers may be made from the fund to the General Fund at the
15 direction of the Legislature. The county or multicounty assessment
16 district shall be billed by the department for services rendered.
17 Reimbursements to the department shall be credited to the ~~fund,~~
18 Department of Revenue Property Assessment Division Cash Fund, and
19 expenditures therefrom shall be made only when such funds are
20 available. The department shall only bill for the actual amount
21 expended in performing the service.

22 The fund shall not, at the close of each year, be
23 lapsed to the General Fund. Any money in the Department of Revenue
24 Property Assessment Division Cash Fund available for investment
25 shall be invested by the state investment officer pursuant to

1 the Nebraska Capital Expansion Act and the Nebraska State Funds
2 Investment Act.

3 Sec. 56. Section 77-4310.03, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 77-4310.03 There is hereby created the Marijuana and
6 Controlled Substances Tax Administration Cash Fund. Money in the
7 fund shall be used by the Tax Commissioner for the purposes of
8 administering, collecting, and enforcing the tax imposed by section
9 77-4303, except that transfers may be made from the fund to the
10 General Fund at the direction of the Legislature. Any money in
11 the ~~fund~~ Marijuana and Controlled Substances Tax Administration
12 Cash Fund available for investment shall be invested by the state
13 investment officer pursuant to the Nebraska Capital Expansion Act
14 and the Nebraska State Funds Investment Act.

15 Sec. 57. Section 77-5031, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 77-5031 The Tax Equalization and Review Commission Cash
18 Fund is hereby created. All money received by the commission
19 for appeals and services performed and billed to other agencies
20 or persons shall be credited to the fund. The commission shall
21 only bill for the actual amount expended in performing services.
22 The fund shall be used to carry out the provisions of the Tax
23 Equalization and Review Commission Act, except that transfers may
24 be made from the fund to the General Fund at the direction of
25 the Legislature. Expenditures from the ~~fund~~ Tax Equalization and

1 Review Commission Cash Fund shall be made only when such funds
2 are available. Any unexpended balance in the fund at the end of
3 each fiscal year shall not lapse to the General Fund. Any money
4 in the Tax Equalization and Review Commission Cash Fund available
5 for investment shall be invested by the state investment officer
6 pursuant to the Nebraska Capital Expansion Act and the Nebraska
7 State Funds Investment Act.

8 Sec. 58. Section 77-5601, Revised Statutes Cumulative
9 Supplement, 2008, is amended to read:

10 77-5601 (1) From August 1, 2004, through October 31,
11 2004, there shall be conducted a tax amnesty program with regard
12 to taxes due and owing that have not been reported to the
13 Department of Revenue. Any person applying for tax amnesty shall
14 pay all unreported taxes that were due on or before April 1,
15 2004. Any person that applies for tax amnesty and is accepted
16 by the Tax Commissioner shall have any penalties and interest
17 waived on unreported and delinquent taxes notwithstanding any other
18 provisions of law to the contrary.

19 (2) To be eligible for the tax amnesty provided by this
20 section, the person shall apply for amnesty within the amnesty
21 period, file a return for each taxable period for which the amnesty
22 is requested by December 31, 2004, if no return has been filed, and
23 pay in full all taxes for which amnesty is sought with the return
24 or within thirty days after the application if a return was filed
25 prior to the amnesty period. Tax amnesty shall not be available for

1 any person that is under civil or criminal audit, investigation, or
2 prosecution for unreported or delinquent taxes by this state or the
3 United States Government on or before April 16, 2004.

4 (3) The department shall not seek civil or criminal
5 prosecution against any person for any taxable period for which
6 amnesty has been granted. The Tax Commissioner shall develop forms
7 for applying for the tax amnesty program, develop procedures for
8 qualification for tax amnesty, and conduct a public awareness
9 campaign publicizing the program.

10 (4) If a person elects to participate in the amnesty
11 program, the election shall constitute an express and irrevocable
12 relinquishment of all administrative and judicial rights to
13 challenge the imposition of the tax or its amount. Nothing in this
14 section shall prohibit the department from adjusting a return as a
15 result of any state or federal audit.

16 (5)(a) Except for any local option sales tax collected
17 and returned to the appropriate municipality and any motor vehicle
18 fuel, diesel fuel, and compressed fuel taxes, which shall be
19 deposited in the Highway Trust Fund or Highway Allocation Fund
20 as provided by law, no less than eighty percent of all revenue
21 received pursuant to the tax amnesty program shall be deposited
22 in the General Fund; ten percent, not to exceed five hundred
23 thousand dollars, shall be deposited in the Department of Revenue
24 Enforcement Fund; and ten percent, not to exceed five hundred
25 thousand dollars, shall be deposited in the Department of Revenue

1 Enforcement Technology Fund. Any amount that would otherwise be
2 deposited in the Department of Revenue Enforcement Fund or the
3 Department of Revenue Enforcement Technology Fund that is in excess
4 of the five-hundred-thousand-dollar limitation shall be deposited
5 in the General Fund.

6 (b) For fiscal year 2005-06, all proceeds in the
7 Department of Revenue Enforcement Fund shall be appropriated to
8 the department for purposes of employing investigators, agents, and
9 auditors and otherwise increasing personnel for enforcement of the
10 Nebraska Revenue Act of 1967. For fiscal year 2005-06, all proceeds
11 in the Department of Revenue Enforcement Technology Fund shall be
12 appropriated to the department for the purposes of acquiring lists,
13 software, programming, computer equipment, and other technological
14 methods for enforcing the act.

15 (c) For fiscal years after fiscal year 2005-06, twenty
16 percent of all proceeds received during the previous calendar year
17 due to the efforts of auditors and investigators hired pursuant to
18 subdivision (5)(b) of this section, not to exceed seven hundred
19 fifty thousand dollars, shall be deposited in the Department of
20 Revenue Enforcement Fund for purposes of employing investigators
21 and auditors or continuing such employment for purposes of
22 increasing enforcement of the act.

23 (6)(a) The department shall prepare a report by April
24 1, 2005, and by February 1 of each year thereafter detailing the
25 results of the tax amnesty program and the subsequent enforcement

1 efforts. For the report due April 1, 2005, the report shall include
2 (i) the amount of revenue obtained as a result of the tax amnesty
3 program broken down by tax program, (ii) the amount obtained
4 from instate taxpayers and from out-of-state taxpayers, and (iii)
5 the amount obtained from individual taxpayers and from business
6 enterprises.

7 (b) For reports due in subsequent years, the report
8 shall include (i) the number of personnel hired for purposes
9 of subdivision (5)(b) of this section and their duties, (ii) a
10 description of lists, software, programming, computer equipment,
11 and other technological methods acquired pursuant to such
12 subdivision and the purposes of each, and (iii) the amount
13 of new revenue obtained as a result of the new personnel and
14 acquisitions during the prior calendar year, broken down into the
15 same categories as described in subdivision (6)(a) of this section.

16 (7) The Department of Revenue Enforcement Fund and the
17 Department of Revenue Enforcement Technology Fund are created.
18 Transfers may be made from the Department of Revenue Enforcement
19 Fund to the General Fund at the direction of the Legislature.
20 Any money in the ~~funds~~ Department of Revenue Enforcement Fund and
21 the Department of Revenue Enforcement Technology Fund available
22 for investment shall be invested by the state investment officer
23 pursuant to the Nebraska Capital Expansion Act and the Nebraska
24 State Funds Investment Act. The Department of Revenue Enforcement
25 Technology Fund shall terminate on July 1, 2006. Any unobligated

1 money in the fund at that time shall be deposited in the General
2 Fund.

3 (8) For purposes of this section, taxes mean any taxes
4 collected by the department, including, but not limited to state
5 and local sales and use taxes, individual and corporate income
6 taxes, financial institutions deposit taxes, motor vehicle fuel,
7 diesel fuel, and compressed fuel taxes, cigarette taxes, transfer
8 taxes, and charitable gaming taxes.

9 Sec. 59. Section 79-810, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 79-810 (1) Certificates and permits shall be issued by
12 the commissioner upon application on forms prescribed and provided
13 by him or her which shall include the applicant's social security
14 number.

15 (2) Each certificate or permit issued by the commissioner
16 shall indicate the area of authorization to teach, provide special
17 services, or administer and any areas of endorsement for which
18 the holder qualifies. During the term of any certificate or permit
19 issued by the commissioner, additional endorsements may be made on
20 the certificate or permit if the holder submits an application,
21 meets the requirements for issuance of the additional endorsements,
22 and pays a nonrefundable fee of forty dollars.

23 (3) The Certification Fund is created. Any fee received
24 by the department under sections 79-806 to 79-815 shall be remitted
25 to the State Treasurer for credit to the fund. The fund shall be

1 used by the department in paying the costs of certifying educators
2 pursuant to such sections and to carry out subsection (3) of
3 section 79-808. For issuance of a certificate or permit valid in
4 all schools, the nonrefundable fee shall be fifty-five dollars,
5 except that thirteen dollars of the fifty-five-dollar fee shall
6 be credited to the Professional Practices Commission Fund which is
7 created for use by the department to pay for the provisions of
8 sections 79-859 to 79-871, except that transfers may be made from
9 the fund to the General Fund at the direction of the Legislature.
10 For issuance of a certificate or permit valid only in nonpublic
11 schools, the nonrefundable fee shall be forty dollars. Any money
12 in the Certification Fund or the Professional Practices Commission
13 Fund available for investment shall be invested by the state
14 investment officer pursuant to the Nebraska Capital Expansion Act
15 and the Nebraska State Funds Investment Act.

16 Sec. 60. Section 79-1320, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 79-1320 The State Educational Telecommunications Fund
19 is created. The fund shall be used by the Nebraska Educational
20 Telecommunications Commission for the purposes of carrying out
21 the provisions of the Nebraska Educational Telecommunications Act,
22 except that transfers may be made from the fund to the General
23 Fund at the direction of the Legislature. ~~Such fund~~ The State
24 Educational Telecommunications Fund shall consist of such sums as
25 the Legislature may appropriate. Any money in the fund available

1 for investment shall be invested by the state investment officer
2 pursuant to the Nebraska Capital Expansion Act and the Nebraska
3 State Funds Investment Act.

4 Sec. 61. Section 81-188.01, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 81-188.01 (1) The State Building Renewal Assessment Fund
7 is created. The fund shall be under the control of the Governor for
8 allocation to building renewal projects of the various agencies
9 and shall be administered in a manner consistent with the
10 administration of the Building Renewal Allocation Fund pursuant
11 to the Deferred Building Renewal Act. No amounts accruing to the
12 State Building Renewal Assessment Fund shall be expended in any
13 manner for purposes other than as provided in this section or as
14 appropriated by the Legislature to meet the cost of administering
15 the act. Transfers may be made from the fund to the General Fund at
16 the direction of the Legislature.

17 (2) Revenue credited to the ~~fund~~ State Building Renewal
18 Assessment Fund shall include amounts derived from charges assessed
19 pursuant to subdivision (4)(b) of section 81-1108.17, depreciation
20 charges remitted pursuant to section 81-188.02, and such other
21 revenue as may be incident to the administration of the fund.

22 (3) Amounts appropriated from the fund shall be expended
23 to conduct renewal work as defined in section 81-173 and to
24 complete other improvements incident to such renewal work as deemed
25 necessary or appropriate by the task force. From amounts accruing

1 to the fund as the result of depreciation charges assessed pursuant
2 to subdivision (4)(b) of section 81-1108.17, expenditures for
3 capital improvements shall be limited to improvements to only those
4 facilities for which such charges have been assessed and remitted.
5 From amounts accruing to the fund as the result of depreciation
6 charges assessed pursuant to section 81-188.02, expenditures for
7 capital improvement projects shall be limited to exclude (a)
8 capital improvement projects relating to facilities, structures,
9 or buildings owned, leased, or operated by the (i) University
10 of Nebraska, (ii) Nebraska state colleges, (iii) Department
11 of Aeronautics, (iv) Department of Roads, (v) Game and Parks
12 Commission, or (vi) Board of Educational Lands and Funds and (b)
13 capital improvement projects relating to facilities, structures,
14 or buildings for which depreciation charges are assessed pursuant
15 to subdivision (4)(b) of section 81-1108.17. For each fiscal year,
16 task force allocations from amounts accruing to the fund pursuant
17 to section 81-188.02 shall not exceed the total of such revenue
18 credited to the fund in the preceding fiscal year, except that if
19 no revenue from depreciation charge assessments was credited to the
20 fund in the preceding fiscal year, allocations shall not exceed
21 fifty percent of revenue credited to the fund in the last preceding
22 fiscal year in which depreciation charge assessments were credited
23 to the fund.

24 (4) Any money in the fund available for investment
25 shall be invested by the state investment officer pursuant to

1 the Nebraska Capital Expansion Act and the Nebraska State Funds
2 Investment Act.

3 Sec. 62. Section 81-201.05, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 81-201.05 (1) The Weed Book Cash Fund is created. ~~Any~~
6 ~~money in the Weed and Insect Books Cash Fund on July 16, 2004,~~
7 ~~shall be transferred to the Weed Book Cash Fund. Upon such~~
8 ~~transfer, the following amounts shall be transferred from the Weed~~
9 ~~Book Cash Fund: (a) Twenty-five thousand dollars to the Noxious~~
10 ~~Weed Cash Fund; and (b) thirty-seven thousand eight hundred dollars~~
11 ~~to the Plant Protection and Plant Pest Cash Fund. On July 1, 2005,~~
12 ~~July 1, 2006, July 1, 2007, July 1, 2008, and July 1, 2009, if~~
13 ~~there are sufficient funds available, twenty-five thousand dollars~~
14 ~~shall be transferred from the Weed Book Cash Fund to the Noxious~~
15 ~~Weed Cash Fund. Transfers may be made from the Weed Book Cash~~
16 ~~Fund to the General Fund at the direction of the Legislature. Any~~
17 ~~money in the Weed Book Cash Fund available for investment shall be~~
18 ~~invested by the state investment officer pursuant to the Nebraska~~
19 ~~Capital Expansion Act and the Nebraska State Funds Investment Act.~~

20 (2) The sale price of each Weeds of the Great Plains book
21 sold by the Department of Agriculture shall be credited as follows:

22 (a) Seventy-five percent to the Weed Book Cash Fund
23 to aid in defraying the cost of publishing, preparing, and
24 distributing such books and any supplemental inserts to such
25 books; and

1 (b) Twenty-five percent to the Noxious Weed Cash Fund.

2 Sec. 63. Section 81-2,147.11, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 81-2,147.11 There is hereby created a fund to be known
5 as the Nebraska Seed Administrative Cash Fund. All money received
6 pursuant to the Nebraska Seed Law shall be remitted to the State
7 Treasurer for credit to such fund. All money credited to the fund
8 shall be used by the Department of Agriculture to aid in defraying
9 the cost of administering such law, except that transfers may be
10 made from the fund to the General Fund at the direction of the
11 Legislature. Any money in the ~~fund~~ Nebraska Seed Administrative
12 Cash Fund available for investment shall be invested by the state
13 investment officer pursuant to the Nebraska Capital Expansion Act
14 and the Nebraska State Funds Investment Act.

15 Sec. 64. Section 81-2,291, Reissue Revised Statutes of
16 Nebraska, is amended to read:

17 81-2,291 All fees paid to the department in accordance
18 with the Nebraska Pure Food Act shall be remitted to the State
19 Treasurer. The State Treasurer shall credit the fees to the Pure
20 Food Cash Fund, which fund is hereby created. All money credited
21 to such fund shall be appropriated to the uses of the department
22 to aid in defraying the expenses of administering the act, except
23 that transfers may be made from the fund to the General Fund at the
24 direction of the Legislature.

25 Any money in the ~~fund~~ Pure Food Cash Fund available

1 for investment shall be invested by the state investment officer
2 pursuant to the Nebraska Capital Expansion Act and the Nebraska
3 State Funds Investment Act.

4 Sec. 65. Section 81-528, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 81-528 (1) The State Fire Marshal Cash Fund is created.
7 Money collected pursuant to subsections (2) and (3) of this section
8 shall be remitted to the State Treasurer for credit to the fund.
9 The fund shall be used to pay for costs incurred in the general
10 operations program of the State Fire Marshal's office, except that
11 transfers may be made from the fund to the General Fund at the
12 direction of the Legislature. The ~~fund~~ State Fire Marshal Cash
13 Fund shall be administered by the State Fire Marshal. Any money in
14 the fund available for investment shall be invested by the state
15 investment officer pursuant to the Nebraska Capital Expansion Act
16 and the Nebraska State Funds Investment Act.

17 (2) All money received from inspection contracts,
18 penalties, fees, or forfeitures, except fines collected under
19 sections 81-501.01 to 81-531 and 81-5,151 to 81-5,157, shall be
20 remitted to the State Treasurer for credit to the fund.

21 (3) All fees assessed pursuant to section 81-505.01 for
22 services performed by the State Fire Marshal's office shall be
23 remitted to the State Treasurer for credit to the fund.

24 Sec. 66. Section 81-550, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 81-550 (1) The Nebraska Natural Gas Pipeline Safety Cash
2 Fund is created. The fund shall consist of money received from
3 assessments pursuant to this section which shall be remitted to the
4 State Treasurer for credit to the fund. Transfers may be made from
5 the fund to the General Fund at the direction of the Legislature
6 through June 30, 2010. The ~~fund~~ Nebraska Natural Gas Pipeline
7 Safety Cash Fund shall ~~only~~ be used for purposes of administering
8 the Nebraska Natural Gas Pipeline Safety Act of 1969. The fund
9 shall be administered by the State Fire Marshal. Any money in
10 the fund available for investment shall be invested by the state
11 investment officer pursuant to the Nebraska Capital Expansion Act
12 and the Nebraska State Funds Investment Act.

13 (2) To defray the cost of administering the Nebraska
14 Natural Gas Pipeline Safety Act of 1969, the State Fire Marshal
15 shall on March 1 of each year make an assessment against persons
16 having pipeline facilities in this state subject to the act, which
17 assessment shall be paid within thirty days thereafter.

18 (3) The assessment against each such person shall be
19 based on the number of meters such person has in service for the
20 retail sale of gas in this state at the end of the calendar year
21 next preceding such assessment. The amount of such assessment shall
22 be set by the State Fire Marshal in an amount not to exceed twenty
23 cents multiplied by the number of such meters for each such person.

24 (4) It shall be the duty of the State Fire Marshal to
25 make timely application each year to the United States Government

1 for the maximum funds to which this state may be entitled from the
2 United States Government for the administration of the act.

3 Sec. 67. Section 81-5,153, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 81-5,153 The Training Division Cash Fund is created.
6 Money collected pursuant to section 81-5,152 shall be remitted to
7 the State Treasurer for credit to the fund. The fund shall be used
8 for the purpose of administering the training program established
9 pursuant to sections 81-5,151 to 81-5,157, except that transfers
10 may be made from the fund to the General Fund at the direction
11 of the Legislature. The ~~fund~~ Training Division Cash Fund shall
12 be administered by the State Fire Marshal. Any money in the fund
13 available for investment shall be invested by the state investment
14 officer pursuant to the Nebraska Capital Expansion Act and the
15 Nebraska State Funds Investment Act.

16 Sec. 68. Section 81-885.15, Revised Statutes Supplement,
17 2009, is amended to read:

18 81-885.15 All fees collected under the Nebraska Real
19 Estate License Act shall be deposited in the state treasury in
20 a fund to be known as the State Real Estate Commission's Fund.
21 The commission may use such part of the money in this fund as is
22 necessary to be used by it in the administration and enforcement
23 of the act. Transfers may be made from the fund to the General
24 Fund at the direction of the Legislature through June 30, 2011. The
25 ~~fund~~ State Real Estate Commission's Fund shall be paid out only

1 upon proper vouchers and upon warrants issued by the Director of
2 Administrative Services and countersigned by the State Treasurer,
3 as provided by law. The expenses of conducting the office must
4 always be kept within the income collected and deposited with the
5 State Treasurer by such commission and such office, and the expense
6 thereof shall not be supported or paid from any other state fund.
7 Any money in the State Real Estate Commission's Fund available
8 for investment shall be invested by the state investment officer
9 pursuant to the Nebraska Capital Expansion Act and the Nebraska
10 State Funds Investment Act.

11 Sec. 69. Section 81-8,110.07, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 81-8,110.07 The secretary of the examining board shall
14 receive and account for all money derived from the operation of
15 sections 81-8,108 to 81-8,127 and shall remit it to the State
16 Treasurer for credit to the Land Surveyor Examiner's Fund, which
17 fund is hereby created. This fund shall be continued from year
18 to year. When appropriated by the Legislature, this fund shall be
19 expended only for the purposes of sections 81-8,108 to 81-8,127.
20 When not reappropriated for the succeeding biennium, the money in
21 this fund shall not revert to the General Fund. The fund shall be
22 paid out only upon vouchers approved by the examining board and
23 upon warrants issued by the Director of Administrative Services
24 and countersigned by the State Treasurer. The expenditures of the
25 examining board shall be kept within the income collected and

1 remitted to the State Treasurer by the examining board. Transfers
2 may be made from the fund to the General Fund at the direction
3 of the Legislature. Any money in the fund Land Surveyor Examiner's
4 Fund available for investment shall be invested by the state
5 investment officer pursuant to the Nebraska Capital Expansion Act
6 and the Nebraska State Funds Investment Act.

7 Sec. 70. Section 81-8,194, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 81-8,194 (1) The board shall establish fees of not
10 less than one hundred nor more than three hundred dollars
11 for applications for registration, examinations, certificates of
12 registration, reciprocal registrations, and renewals based on the
13 administration costs incurred by the board. The board shall collect
14 and account for such fees and pay the same into the state treasury
15 and which, by the State Treasurer, shall be credited to the State
16 Board of Landscape Architects Cash Fund which is hereby created.

17 (2) Transfers may be made from the State Board of
18 Landscape Architects Cash Fund to the General Fund at the direction
19 of the Legislature. Any money in the State Board of Landscape
20 Architects Cash Fund available for investment shall be invested
21 by the state investment officer pursuant to the Nebraska Capital
22 Expansion Act and the Nebraska State Funds Investment Act.

23 Sec. 71. Section 81-1120.23, Reissue Revised Statutes of
24 Nebraska, is amended to read:

25 81-1120.23 There is hereby established a cash fund to

1 be known as the Communications Cash Fund. Appropriations made to
2 the division of communications of the office of Chief Information
3 Officer for the purposes of sections 81-1120.01 to 81-1120.28 shall
4 be credited to the fund. All funds received under such sections
5 and all funds received for communications services provided to
6 any agency, department, or other user shall be credited to the
7 fund. The division shall, under policies and procedures established
8 by the director, expend funds from time to time credited to the
9 fund for the communications purposes enumerated in such sections.
10 Transfers may be made from the fund to the General Fund at the
11 direction of the Legislature. Any money in the ~~fund~~ Communications
12 Cash Fund available for investment shall be invested by the state
13 investment officer pursuant to the Nebraska Capital Expansion Act
14 and the Nebraska State Funds Investment Act.

15 Sec. 72. Section 81-1201.21, Revised Statutes Supplement,
16 2009, is amended to read:

17 81-1201.21 (1) There is hereby created the Job Training
18 Cash Fund. The fund shall be under the direction of the Department
19 of Economic Development. Money may be transferred to the fund
20 pursuant to subdivision (1)(b)(iv) of section 48-621 and from
21 the Cash Reserve Fund at the direction of the Legislature. The
22 department shall establish a subaccount for all money transferred
23 from the Cash Reserve Fund to the Job Training Cash Fund on or
24 after July 1, 2005. Any unexpended or unobligated balance remaining
25 within such subaccount on July 1, 2014, shall be transferred by the

1 State Treasurer to the Cash Reserve Fund no later than July 10,
2 2014. Any obligated amount not transferred from the subaccount that
3 remains unexpended on July 1, 2013, shall be transferred by the
4 State Treasurer to the Cash Reserve Fund no later than December 31,
5 2015. Transfers may be made from the Job Training Cash Fund to the
6 General Fund at the direction of the Legislature.

7 (2) The department shall use the Job Training Cash Fund
8 to provide reimbursements for job training activities, including
9 employee assessment, preemployment training, on-the-job training,
10 training equipment costs, and other reasonable costs related to
11 helping industry and business locate or expand in Nebraska, or
12 to provide upgrade skills training of the existing labor force
13 necessary to adapt to new technology or the introduction of new
14 product lines.

15 (3) The department shall establish a subaccount within
16 the fund to provide job training grants targeted to small
17 employers, rural employers, and poverty area employers meeting
18 one of the following criteria: (a) Employ twenty-five or fewer
19 employees, (b) located in rural areas of Nebraska, or (c) located
20 in areas of high concentration of poverty within the corporate
21 limits of a city or village consisting of one or more contiguous
22 census tracts, as determined by the most recent federal decennial
23 census, which contain a percentage of persons below the poverty
24 line of greater than thirty percent, and all census tracts
25 contiguous to such tract or tracts, as determined by the most

1 recent federal decennial census. The department shall calculate the
2 amount of prior year investment income earnings accruing to the
3 fund and allocate such amount to the subaccount for small, rural,
4 or poverty area employer grants.

5 (4) Any money in the fund available for investment
6 shall be invested by the state investment officer pursuant to
7 the Nebraska Capital Expansion Act and the Nebraska State Funds
8 Investment Act.

9 Sec. 73. Section 81-1201.22, Reissue Revised Statutes of
10 Nebraska, is amended to read:

11 81-1201.22 (1) There is hereby created the Administrative
12 Cash Fund to be administered by the department. Revenue from the
13 following sources shall be remitted to the State Treasurer for
14 credit to the fund:

15 (a) Fees charged for the sale of department publications
16 or subscription to publications;

17 (b) Fees charged for the sale of Nebraska items promoting
18 economic development of the state, including travel and tourism;

19 (c) Deposits charged for the temporary use of Nebraska
20 items promoting economic development of the state, including travel
21 and tourism;

22 (d) Fees charged for attendance and participation in
23 department-sponsored conferences, training sessions, and other
24 special events;

25 (e) Money collected from nondepartment sources in

1 connection with cooperative funding of advertising, marketing,
2 promotional, or consulting activities; and

3 (f) Money received by the department in the form of
4 gifts, grants, reimbursements, or appropriations from any source
5 intended to be used by the department for carrying out the
6 provisions of Chapter 81, article 12.

7 (2) Revenue from the fund may be expended for the
8 following purposes:

9 (a) Production and distribution costs of department
10 publications;

11 (b) Purchase of items promoting economic development of
12 the state, including travel and tourism, intended for sale;

13 (c) Reimbursement of deposits collected for the temporary
14 use of promotional items;

15 (d) Payment of costs in connection with
16 department-sponsored conferences, training sessions, and other
17 special events;

18 (e) Payment of costs of advertising, marketing,
19 promotional, or consulting activities in cooperative funding
20 partnerships with nondepartment organizations; and

21 (f) Payment of costs for which fund revenue has been
22 received and which are related to department activities in Chapter
23 81, article 12.

24 (3) Transfers may be made from the fund to the General
25 Fund at the direction of the Legislature. Any money in the fund

1 Administrative Cash Fund available for investment shall be invested
2 by the state investment officer pursuant to the Nebraska Capital
3 Expansion Act and the Nebraska State Funds Investment Act.

4 Sec. 74. Section 81-1278, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 81-1278 There is hereby created for the use of the
7 Department of Economic Development a fund, to be known as the
8 Nebraska Agricultural Products Research Fund, to consist of any
9 funds appropriated by the Legislature and any funds received by
10 gift or from the federal government to be used for the purpose
11 provided in section 81-1279. Transfers may be made from the fund
12 to the General Fund at the direction of the Legislature. Any money
13 in the ~~fund~~ Nebraska Agricultural Products Research Fund available
14 for investment shall be invested by the state investment officer
15 pursuant to the Nebraska Capital Expansion Act and the Nebraska
16 State Funds Investment Act.

17 Sec. 75. Section 81-1413.01, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 81-1413.01 There is hereby created the Nebraska Law
20 Enforcement Training Center Cash Fund. All receipts for tuition and
21 fees paid to the Nebraska Law Enforcement Training Center shall be
22 paid into the state treasury and by the State Treasurer credited
23 to the Nebraska Law Enforcement Training Center Cash Fund. Such
24 fund shall be used to defray the expenses of the training center,
25 except that transfers may be made from the fund to the General

1 Fund at the direction of the Legislature. Any money in the Nebraska
2 Law Enforcement Training Center Cash Fund available for investment
3 shall be invested by the state investment officer pursuant to
4 the Nebraska Capital Expansion Act and the Nebraska State Funds
5 Investment Act.

6 Sec. 76. Section 81-1428, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 81-1428 The Law Enforcement Improvement Fund is created
9 and shall be maintained by the State Treasurer as a cash fund.
10 The fund shall consist of revenue credited pursuant to section
11 81-1429 and investment income. The fund shall be used for payment
12 of administrative and operations expenses of the Nebraska Law
13 Enforcement Training Center and such other expenses as budgeted by
14 the Legislature for the improvement of law enforcement, except that
15 transfers may be made from the fund to the General Fund at the
16 direction of the Legislature. The fund Law Enforcement Improvement
17 Fund shall be administered by the director. Any money in the fund
18 available for investment shall be invested by the state investment
19 officer pursuant to the Nebraska Capital Expansion Act and the
20 Nebraska State Funds Investment Act.

21 Sec. 77. Section 81-15,121, Reissue Revised Statutes of
22 Nebraska, is amended to read:

23 81-15,121 (1) A person shall not (a) maintain or use any
24 tank for the storage of regulated substances, (b) install any new
25 tank, or (c) permanently close a tank without first securing a

1 permit from the State Fire Marshal.

2 (2) A fee shall not be charged for a permit under
3 subdivision (1) (a) or (c) of this section. The fee for a permit for
4 installation shall be fifty dollars. The State Fire Marshal shall
5 remit the fee to the State Treasurer for credit to the Underground
6 Storage Tank Fund.

7 (3) All owners of operating tanks, except those provided
8 for in subsection (4) of this section, shall annually register each
9 tank. All registration permits shall expire on December 31 of the
10 year for which the permit was issued. The registration fee shall
11 be thirty dollars per tank. The State Fire Marshal shall remit the
12 fee to the State Treasurer for credit to the Underground Storage
13 Tank Fund. Such permits shall contain the information specified in
14 subsection (5) of this section.

15 (4) In the case of tanks permanently abandoned on or
16 after January 1, 1974, an annual permit shall not be required and
17 an initial registration permit shall be sufficient.

18 (5) The application for a registration permit shall be
19 provided by and filed with the State Fire Marshal's office and
20 shall require, but not be limited to, the following information:

21 (a) The date the tank was placed in or taken out of
22 operation;

23 (b) The age of the tank;

24 (c) The size, type, and location of the tank; and

25 (d) The type of substances stored in the tank and the

1 quantity of such substances remaining in the tank if the tank has
2 been permanently closed.

3 (6) The registration permit fee collected pursuant to
4 this section shall be deposited in the Underground Storage Tank
5 Fund which is hereby created as a cash fund. The fund shall also
6 consist of any money appropriated to the fund by the state. The
7 fund shall be administered by the State Fire Marshal to carry out
8 the purposes of the Petroleum Products and Hazardous Substances
9 Storage and Handling Act. Transfers may be made from the fund
10 to the General Fund at the direction of the Legislature. Any
11 money in such fund the Underground Storage Tank Fund available
12 for investment shall be invested by the state investment officer
13 pursuant to the Nebraska Capital Expansion Act and the Nebraska
14 State Funds Investment Act.

15 Sec. 78. Section 81-15,160, Revised Statutes Supplement,
16 2009, is amended to read:

17 81-15,160 (1) The Waste Reduction and Recycling Incentive
18 Fund is created. The department shall deduct from the fund amounts
19 sufficient to reimburse itself for its costs of administration
20 of the fund. The fund shall be administered by the Department
21 of Environmental Quality. The fund shall consist of proceeds from
22 the fees imposed pursuant to the Waste Reduction and Recycling
23 Incentive Act.

24 (2) The fund may be used for purposes which include, but
25 are not limited to:

1 (a) Technical and financial assistance to political
2 subdivisions for creation of recycling systems and for modification
3 of present recycling systems;

4 (b) Recycling and waste reduction projects, including
5 public education, planning, and technical assistance;

6 (c) Market development for recyclable materials separated
7 by generators, including public education, planning, and technical
8 assistance;

9 (d) Capital assistance for establishing private and
10 public intermediate processing facilities for recyclable materials
11 and facilities using recyclable materials in new products;

12 (e) Programs which develop and implement composting of
13 yard waste and composting with sewage sludge;

14 (f) Technical assistance for waste reduction and waste
15 exchange for waste generators;

16 (g) Programs to assist communities and counties to
17 develop and implement household hazardous waste management
18 programs;

19 (h) Capital assistance for establishing private and
20 public facilities to manufacture combustible waste products and
21 to incinerate combustible waste to generate and recover energy
22 resources, except that no disbursements shall be made under this
23 section for scrap tire processing related to tire-derived fuel; and

24 (i) Grants for reimbursement of costs to cities of the
25 second class, villages, and counties of five thousand or fewer

1 population for the deconstruction of abandoned buildings. Eligible
2 deconstruction costs will be related to the recovery and processing
3 of recyclable or reusable material from the abandoned buildings.

4 (3) Grants up to one million dollars annually shall be
5 available until June 30, 2014, for new scrap tire projects only, if
6 acceptable scrap tire project applications are received. Eligible
7 categories of disbursement under section 81-15,161 may include, but
8 are not limited to:

9 (a) Reimbursement for the purchase of crumb rubber
10 generated and used in Nebraska, with disbursements not to exceed
11 fifty percent of the cost of the crumb rubber;

12 (b) Reimbursement for the purchase of tire-derived
13 product which utilizes a minimum of twenty-five percent recycled
14 tire content, with disbursements not to exceed twenty-five percent
15 of the product's retail cost, except that persons who applied for
16 a grant between June 1, 1999, and May 31, 2001, for the purchase
17 of tire-derived product which utilizes a minimum of twenty-five
18 percent recycled tire content may apply for reimbursement on or
19 before July 1, 2002. Reimbursement shall not exceed twenty-five
20 percent of the product's retail cost and may be funded in fiscal
21 years 2001-02 and 2002-03;

22 (c) Participation in the capital costs of building,
23 equipment, and other capital improvement needs or startup costs
24 for scrap tire processing or manufacturing of tire-derived product,
25 with disbursements not to exceed fifty percent of such costs or

1 five hundred thousand dollars, whichever is less;

2 (d) Participation in the capital costs of building,
3 equipment, or other startup costs needed to establish collection
4 sites or to collect and transport scrap tires, with disbursements
5 not to exceed fifty percent of such costs;

6 (e) Cost-sharing for the manufacturing of tire-derived
7 product, with disbursements not to exceed twenty dollars per ton
8 or two hundred fifty thousand dollars, whichever is less, to any
9 person annually;

10 (f) Cost-sharing for the processing of scrap tires, with
11 disbursements not to exceed twenty dollars per ton or two hundred
12 fifty thousand dollars, whichever is less, to any person annually;

13 (g) Cost-sharing for the use of scrap tires for civil
14 engineering applications for specified projects, with disbursements
15 not to exceed twenty dollars per ton or two hundred fifty thousand
16 dollars, whichever is less, to any person annually; and

17 (h) Disbursement to a political subdivision up to one
18 hundred percent of costs incurred in cleaning up scrap tire
19 collection and disposal sites.

20 The director shall give preference to projects which
21 utilize scrap tires generated and used in Nebraska.

22 (4) Priority for grants made under section 81-15,161
23 shall be given to grant proposals demonstrating a formal
24 public/private partnership except for grants awarded from fees
25 collected under subsection (6) of section 13-2042.

1 (5) Grants awarded from fees collected under subsection
2 (6) of section 13-2042 may be renewed for up to a five-year
3 grant period. Such applications shall include an updated integrated
4 solid waste management plan pursuant to section 13-2032. Annual
5 disbursements are subject to available funds and the grantee
6 meeting established grant conditions. Priority for such grants
7 shall be given to grant proposals showing regional participation
8 and programs which address the first integrated solid waste
9 management hierarchy as stated in section 13-2018 which shall
10 include toxicity reduction. Disbursements for any one year shall
11 not exceed fifty percent of the total fees collected after rebates
12 under subsection (6) of section 13-2042 during that year.

13 (6) Any person who stores waste tires in violation
14 of section 13-2033, which storage is the subject of abatement
15 or cleanup, shall be liable to the State of Nebraska for the
16 reimbursement of expenses of such abatement or cleanup paid by the
17 Department of Environmental Quality.

18 (7) The Department of Environmental Quality may receive
19 gifts, bequests, and any other contributions for deposit in the
20 Waste Reduction and Recycling Incentive Fund. Transfers may be
21 made from the fund to the General Fund at the direction of the
22 Legislature. Any money in the fund Waste Reduction and Recycling
23 Incentive Fund available for investment shall be invested by the
24 state investment officer pursuant to the Nebraska Capital Expansion
25 Act and the Nebraska State Funds Investment Act.

1 Sec. 79. Section 81-15,165, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 81-15,165 The Tax Commissioner shall deduct and withhold
4 from the fees collected pursuant to sections 81-15,159 to 81-15,165
5 a fee sufficient to reimburse himself or herself for the actual
6 cost of collecting and administering such fees and shall credit
7 such collection fee to the Waste Reduction and Recycling Incentive
8 Fees Collection Fund which is hereby created. The Legislature shall
9 appropriate money from the fund to the Department of Revenue to
10 cover the actual costs of the department in administering the Waste
11 Reduction and Recycling Incentive Act. Transfers may be made from
12 the fund to the General Fund at the direction of the Legislature.
13 Any money in the ~~fund~~ Waste Reduction and Recycling Incentive Fees
14 Collection Fund available for investment shall be invested by the
15 state investment officer pursuant to the Nebraska Capital Expansion
16 Act and the Nebraska State Funds Investment Act.

17 Sec. 80. Section 81-15,180, Reissue Revised Statutes of
18 Nebraska, is amended to read:

19 81-15,180 The Superfund Cost Share Cash Fund is created.
20 The Department of Environmental Quality shall remit grants and
21 gifts received by the department for purposes of providing cost
22 share for remediation of superfund sites to the State Treasurer for
23 credit to the fund. The department shall administer the Superfund
24 Cost Share Cash Fund to pay for nonfederal costs, including costs
25 for in-kind services, required as cost share for remediation of

1 superfund sites. Transfers may be made from the fund to the General
2 Fund at the direction of the Legislature. Any money in the fund
3 Superfund Cost Share Cash Fund available for investment shall be
4 invested by the state investment officer pursuant to the Nebraska
5 Capital Expansion Act and the Nebraska State Funds Investment Act.

6 The State Treasurer shall transfer the balance of
7 the Department of Environmental Quality Superfund Cash Fund,
8 administratively created pursuant to section 81-1111.04, to the
9 Superfund Cost Share Cash Fund.

10 Sec. 81. Section 81-1607.01, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 81-1607.01 The State Energy Office Cash Fund is hereby
13 created. The fund shall consist of funds received pursuant to
14 section 57-705. The fund shall be used for the administration of
15 sections 81-1601 to 81-1607, for energy conservation activities,
16 and for providing technical assistance to communities in the
17 area of natural gas other than assistance regarding ownership of
18 regulated utilities, except that transfers may be made from the
19 fund to the General Fund at the direction of the Legislature.
20 Any money in the fund State Energy Office Cash Fund available
21 for investment shall be invested by the state investment officer
22 pursuant to the Nebraska Capital Expansion Act and the Nebraska
23 State Funds Investment Act.

24 Sec. 82. Section 81-1634, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 81-1634 Funds received in repayment for energy efficiency
2 loans from the School Weatherization Fund shall be credited to
3 the General Fund. For each fiscal year in which there are any
4 outstanding loans, the Legislature shall designate a portion of
5 the funds received in repayment for energy efficiency loans for
6 use by the State Energy Office to cover the actual cost of
7 administering outstanding loans. Transfers may be made from the
8 School Weatherization Fund to the General Fund at the direction of
9 the Legislature.

10 Sec. 83. Section 81-2004.01, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 81-2004.01 (1) The Carrier Enforcement Cash Fund is
13 created. The fund shall be established within the Nebraska State
14 Patrol and administered by the Superintendent of Law Enforcement
15 and Public Safety. The fund shall consist of fund transfers made
16 each fiscal year from the Roads Operations Cash Fund as authorized
17 by the Legislature through the budget process.

18 (2) The Carrier Enforcement Cash Fund shall only be used
19 to pay the costs associated with the operation of the carrier
20 enforcement division of the patrol, except that (a) the Legislature
21 may authorize fund transfers each fiscal year through the budget
22 process from the Carrier Enforcement Cash Fund to the Nebraska
23 Public Safety Communication System Cash Fund to pay the carrier
24 enforcement division's share of operations costs of the Nebraska
25 Public Safety Communication System and (b) transfers may be made

1 from the Carrier Enforcement Cash Fund to the General Fund at the
2 direction of the Legislature.

3 (3) Any money in the Carrier Enforcement Cash Fund
4 available for investment shall be invested by the state investment
5 officer pursuant to the Nebraska Capital Expansion Act and the
6 Nebraska State Funds Investment Act.

7 Sec. 84. Section 81-2105, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 81-2105 There is hereby created the Electrical Division
10 Fund. All money received under the State Electrical Act shall be
11 remitted to the State Treasurer for credit to the fund. Each member
12 of the board shall be reimbursed for the actual and necessary
13 expenses incurred in the performance of his or her duties pursuant
14 to sections 81-1174 to 81-1177 to be paid out of the fund.
15 Transfers may be made from the fund to the General Fund at the
16 direction of the Legislature.

17 Sec. 85. Section 81-3119, Revised Statutes Supplement,
18 2009, is amended to read:

19 81-3119 The Health and Human Services Cash Fund is
20 created and shall consist of funds from contracts, grants, gifts,
21 or fees. ~~On or before July 15, 2008, one million dollars shall~~
22 ~~be transferred from the Health and Human Services Cash Fund to~~
23 ~~the Rural Health Professional Incentive Fund. On July 9, 2009,~~
24 ~~two hundred fifteen thousand dollars shall be transferred from the~~
25 ~~Health and Human Services Cash Fund to the State Medicaid Fraud~~

1 ~~Control Unit Cash Fund.~~ Transfers may be made from the fund to
2 the General Fund at the direction of the Legislature. Any money in
3 the Health and Human Services Cash Fund available for investment
4 shall be invested by the state investment officer pursuant to
5 the Nebraska Capital Expansion Act and the Nebraska State Funds
6 Investment Act.

7 Sec. 86. Section 81-3432, Revised Statutes Supplement,
8 2009, is amended to read:

9 81-3432 The Engineers and Architects Regulation Fund is
10 created. The secretary of the board shall receive and account
11 for all money derived from the operation of the Engineers
12 and Architects Regulation Act and shall remit the money to
13 the State Treasurer for credit to the Engineers and Architects
14 Regulation Fund. All expenses certified by the board as properly
15 and necessarily incurred in the discharge of duties, including
16 compensation and administrative staff, and any expense incident to
17 the administration of the act relating to other states shall be
18 paid out of the fund. Loan repayments payable pursuant to section
19 81-3432.01 shall be paid out of the fund. Warrants for the payment
20 of expenses shall be issued by the Director of Administrative
21 Services and paid by the State Treasurer upon presentation of
22 vouchers regularly drawn by the chairperson and secretary of the
23 board and approved by the board. At no time shall the total
24 amount of warrants exceed the total amount of the fees collected
25 under the act and to the credit of the fund. Transfers may be

1 made from the fund to the General Fund at the direction of the
2 Legislature through June 30, 2011. Any money in the fund ~~fund~~ Engineers
3 and Architects Regulation Fund available for investment shall be
4 invested by the state investment officer pursuant to the Nebraska
5 Capital Expansion Act and the Nebraska State Funds Investment Act.

6 Sec. 87. Section 81-3524, Reissue Revised Statutes of
7 Nebraska, is amended to read:

8 81-3524 The Geologists Regulation Fund is created. The
9 secretary of the board shall receive and account for all money
10 derived from the operation of the Geologists Regulation Act. The
11 board shall remit the money to the State Treasurer for credit to
12 the Geologists Regulation Fund, which shall be continued from year
13 to year and shall be drawn against only as provided for in this
14 section and, when reappropriated for the succeeding biennium, shall
15 not revert to the General Fund. All expenses certified by the board
16 as properly and necessarily incurred in the discharge of duties,
17 including compensation and administrative staff, and any expense
18 incident to the administration of the act relating to other states,
19 shall be paid out of the fund. Warrants for the payment of expenses
20 shall be issued by the Director of Administrative Services and
21 paid by the State Treasurer upon presentation of vouchers regularly
22 drawn by the chairperson and secretary of the board and approved
23 by the board. At no time shall the total amount of warrants exceed
24 the total amount of the fees collected under the act and to the
25 credit of the fund. Transfers may be made from the fund to the

1 General Fund at the direction of the Legislature. Any money in the
 2 ~~fund~~ Geologists Regulation Fund available for investment shall be
 3 invested by the state investment officer pursuant to the Nebraska
 4 Capital Expansion Act and the Nebraska State Funds Investment Act.

5 Sec. 88. Section 82-108.02, Reissue Revised Statutes of
 6 Nebraska, is amended to read:

7 82-108.02 All funds received by the Nebraska State
 8 Historical Society for services rendered shall be remitted to
 9 the State Treasurer for credit to the Historical Society Fund which
 10 is hereby established. Funds to the credit of the fund shall only
 11 be expended, as and when appropriated by the Legislature, by the
 12 Nebraska State Historical Society for the general purposes of such
 13 society, except that transfers may be made from the fund to the
 14 General Fund at the direction of the Legislature. Any money in
 15 the ~~fund~~ Historical Society Fund available for investment shall be
 16 invested by the state investment officer pursuant to the Nebraska
 17 Capital Expansion Act and the Nebraska State Funds Investment Act.

18 Sec. 89. Section 83-913.01, Reissue Revised Statutes of
 19 Nebraska, is amended to read:

20 83-913.01 (1) There is hereby created the Department of
 21 Correctional Services Facility Cash Fund.

22 Except as otherwise provided, all money derived from any
 23 source in any facility under the supervision of the Department
 24 of Correctional Services shall be remitted to the State Treasurer
 25 in accordance with the policies and procedures established by

1 the Director of Correctional Services for credit to the fund.
 2 Transfers may be made from the fund to the General Fund at the
 3 direction of the Legislature. Any money in the ~~fund~~ Department of
 4 Correctional Services Facility Cash Fund available for investment
 5 may be invested pursuant to the Nebraska Capital Expansion Act and
 6 the Nebraska State Funds Investment Act.

7 (2) All disbursements from the fund shall be made by the
 8 Director of Administrative Services by warrants drawn on the fund
 9 only upon certification of expenses by the chief executive officer
 10 of the appropriate facility within the Department of Correctional
 11 Services and upon presentation of proper vouchers for such expenses
 12 by the Director of Correctional Services or his or her authorized
 13 agent.

14 Sec. 90. Section 84-409, Reissue Revised Statutes of
 15 Nebraska, is amended to read:

16 84-409 There shall be paid to the State Treasurer, for
 17 each day the State Surveyor is engaged in making any survey or in
 18 settling and disposing of disputes and disagreements, as provided
 19 in section 84-410, a per diem rate of compensation as determined by
 20 the Board of Educational Lands and Funds for his or her services
 21 and the necessary expenses incurred in making the same. All fees
 22 received for the services and expenses of the State Surveyor or
 23 deputy surveyors shall be paid into the state treasury and by the
 24 State Treasurer placed in a fund to be known as Surveyors' Cash
 25 Fund, which fund shall be used in paying the salaries and expenses

1 of deputy surveyors, except as provided in section 84-407.01, in
2 making surveys and for making refunds on deposits. All fees and
3 expenses placed in the Surveyors' Cash Fund for the services and
4 expenses of the State Surveyor, after the payments from the cash
5 fund are made as hereinbefore provided, shall be transferred to
6 the General Fund. Transfers may be made from the Surveyors' Cash
7 Fund to the General Fund at the direction of the Legislature. Any
8 money in the Surveyors' Cash Fund available for investment shall be
9 invested by the state investment officer pursuant to the Nebraska
10 Capital Expansion Act and the Nebraska State Funds Investment Act.

11 Sec. 91. Section 84-414, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 84-414 The State Surveyor, under the direction of the
14 Board of Educational Lands and Funds, shall receive and account
15 for all money derived from the operation of the survey record
16 repository pursuant to sections 84-412 and 84-413, and shall
17 pay such money to the State Treasurer, who shall credit it to
18 the Survey Record Repository Fund which is hereby created. When
19 appropriated by the Legislature, this fund shall be expended
20 only for the purposes of sections 84-412 and 84-413, except that
21 transfers may be made from the fund to the General Fund at the
22 direction of the Legislature. All money in the ~~fund~~ Survey Record
23 Repository Fund available for investment shall be invested by the
24 state investment officer pursuant to the Nebraska Capital Expansion
25 Act and the Nebraska State Funds Investment Act.

1 Sec. 92. Section 84-510, Revised Statutes Supplement,
2 2009, is amended to read:

3 84-510 The Corporation Cash Fund is created. Transfers
4 from the fund to the Election Administration Fund or the General
5 Fund may be made at the direction of the Legislature. ~~The State~~
6 ~~Treasurer shall transfer five hundred thousand dollars from the~~
7 ~~Corporation Cash Fund to the General Fund on or before July~~
8 ~~5, 2009.~~ Any money in the Corporation Cash Fund available for
9 investment shall be invested by the state investment officer
10 pursuant to the Nebraska Capital Expansion Act and the Nebraska
11 State Funds Investment Act.

12 Sec. 93. Section 84-1227, Reissue Revised Statutes of
13 Nebraska, is amended to read:

14 84-1227 There is hereby established in the state treasury
15 a special fund to be known as the Records Management Cash Fund
16 which, when appropriated by the Legislature, shall be expended
17 by the Secretary of State for the purposes of providing records
18 management services and assistance to political subdivisions, for
19 development and maintenance of a gateway or electronic network for
20 accessing public records, and for grants to political subdivisions
21 as provided in subdivision (1)(j) of section 84-1204. All fees
22 and charges for the purpose of records management services and
23 analysis received by the Secretary of State from the political
24 subdivisions shall be remitted to the State Treasurer for credit to
25 such fund. Transfers may be made from the fund to the General Fund

1 at the direction of the Legislature. Any money in the ~~fund~~ Records
2 Management Cash Fund available for investment shall be invested
3 by the state investment officer pursuant to the Nebraska Capital
4 Expansion Act and the Nebraska State Funds Investment Act.

5 Sec. 94. Section 85-1419, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 85-1419 There is hereby created the Coordinating
8 Commission for Postsecondary Education Cash Fund. The fund shall
9 contain money received from application fees from out-of-state
10 institutions of higher and postsecondary education seeking
11 authorization to offer courses and programs in the State
12 of Nebraska and from private colleges seeking provisional
13 accreditation and money received by the commission for services
14 rendered incident to the administration of its statutory or
15 contractual functions. The fund shall be expended for the
16 administrative costs of reviewing applications, publishing and
17 duplicating reports, coordinating studies, conducting conferences,
18 and other related activities as may be authorized by the
19 Legislature or by contract, except that transfers may be made from
20 the fund to the General Fund at the direction of the Legislature.

21 All such money received by the commission shall be remitted to the
22 State Treasurer for credit to the ~~fund~~. Coordinating Commission
23 for Postsecondary Education Cash Fund. A report on the receipts
24 and expenditures from the fund shall be included as a part of
25 the operating budget request submitted to the Legislature and the

1 Governor. Any money in the fund available for investment shall be
2 invested by the state investment officer pursuant to the Nebraska
3 Capital Expansion Act and the Nebraska State Funds Investment Act.

4 Sec. 95. Section 85-1803, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 85-1803 The Nebraska educational savings plan trust shall
7 be operated with no General Fund appropriations. Money from the
8 trust transferred from the program fund or endowment fund to the
9 administrative fund in an amount authorized by an appropriation
10 from the Legislature shall be utilized to pay for the costs
11 of administering, operating, and maintaining the trust, to the
12 extent permitted by section 529 of the Internal Revenue Code. The
13 administrative fund shall not be credited with any money other than
14 money transferred from the program fund or endowment fund in an
15 amount authorized by an appropriation by the Legislature or any
16 interest income earned on the balances held in the administrative
17 fund. Transfers may be made from the administrative fund to the
18 General Fund at the direction of the Legislature.

19 Sec. 96. Section 86-127, Reissue Revised Statutes of
20 Nebraska, is amended to read:

21 86-127 (1) One of the goals of the federal
22 Telecommunications Act of 1996, as such act existed on January
23 1, 2002, is to foster competition among telephone companies.
24 Section 271 of the federal act (a) establishes specific incentives,
25 procedures, and requirements for regional Bell operating companies

1 to offer inter-LATA interexchange service and (b) requires the
2 Public Service Commission to monitor the competitive performance of
3 a regional Bell operating company and to consult with the Federal
4 Communications Commission regarding such activities.

5 (2) The Nebraska Competitive Telephone Marketplace Fund
6 is created. The Public Service Commission may accept, and the fund
7 shall consist of, any voluntary performance payments received from
8 a regional Bell operating company. The fund shall be used by the
9 commission for expenses related to the monitoring of compliance
10 with section 271 of the federal act. If money in the fund exceeds
11 thirty thousand dollars, the commission shall remit such excess
12 money to the State Treasurer for credit to the Nebraska Internet
13 Enhancement Fund, except that transfers may be made from the
14 Nebraska Competitive Telephone Marketplace Fund to the General Fund
15 at the direction of the Legislature. Any money in the Nebraska
16 Competitive Telephone Marketplace Fund available for investment
17 shall be invested by the state investment officer pursuant to
18 the Nebraska Capital Expansion Act and the Nebraska State Funds
19 Investment Act.

20 Sec. 97. Section 86-312, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 86-312 (1) The Nebraska Telecommunications Relay System
23 Fund is created. The fund shall be used to provide a statewide
24 telecommunications relay system and to administer a statewide
25 voucher program to provide specialized telecommunications equipment

1 to qualified deaf, hard of hearing, and speech-impaired persons in
2 Nebraska, except that transfers may be made from the fund to the
3 General Fund at the direction of the Legislature.

4 (2) Based upon the price of the equipment, vouchers shall
5 be issued by the program administrator to pay private vendors
6 for all or part of the cost of the equipment. After purchase,
7 the recipient is the owner of the equipment and responsible for
8 enforcement of any warranties and repairs.

9 (3) Any money in the ~~fund~~ Nebraska Telecommunications
10 Relay System Fund available for investment shall be invested by the
11 state investment officer pursuant to the Nebraska Capital Expansion
12 Act and the Nebraska State Funds Investment Act.

13 Sec. 98. Section 86-463, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 86-463 The Enhanced Wireless 911 Fund is created. The
16 fund shall consist of the surcharges credited to the fund,
17 any money appropriated by the Legislature, any federal funds
18 received for wireless emergency communication, and any other funds
19 designated for credit to the fund. Money in the fund shall be
20 used for the costs of administering the fund and the purposes
21 specified in section 86-465 unless otherwise directed by federal
22 law with respect to any federal funds. The costs of administering
23 the fund shall be kept to a minimum. The money in the fund shall
24 not be subject to any fiscal-year limitation or lapse provision
25 of unexpended balance at the end of any fiscal year or biennium.

1 Interest accruing to the fund from invested fund balances may be
2 transferred to the General Fund at the direction of the Legislature
3 through June 30, 2010. Any money in the ~~fund~~ Enhanced Wireless
4 911 Fund available for investment shall be invested by the state
5 investment officer pursuant to the Nebraska Capital Expansion Act
6 and the Nebraska State Funds Investment Act.

7 Sec. 99. Section 88-545.01, Reissue Revised Statutes of
8 Nebraska, is amended to read:

9 88-545.01 (1) The commission may enter into contracts
10 with public or private entities which provide a benefit for both
11 parties for purposes of performing audit or examination work.
12 The commission shall conduct the work as time permits and shall
13 not allow the work to conflict with the commission's primary
14 responsibility of performing grain warehouse examinations within
15 the prescribed statutory time.

16 (2) Fees from audit or examination contracts shall be
17 remitted by the commission to the State Treasurer for credit
18 to the Grain Warehouse Auditing Fund which is created. The fund
19 shall be available to the commission to buy material and equipment
20 for performing audits and examinations or to offset the cost of
21 performing audits and examinations. Transfers may be made from the
22 fund to the General Fund at the direction of the Legislature.
23 Any money in the ~~fund~~ Grain Warehouse Auditing Fund available
24 for investment shall be invested by the state investment officer
25 pursuant to the Nebraska Capital Expansion Act and the Nebraska

1 State Funds Investment Act.

2 Sec. 100. Section 88-552, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 88-552 There is hereby created in the state treasury a
5 fund to be known as the Nebraska Grain Warehouse Surveillance Cash
6 Fund. Such fund shall be used solely for disbursing funds and
7 receiving reimbursement for services performed by the commission in
8 the suspension or termination of a warehouse operation, except that
9 transfers may be made from the fund to the General Fund at the
10 direction of the Legislature. All money received by the commission
11 for such services shall be remitted to the State Treasurer for
12 credit to ~~such fund.~~ the Nebraska Grain Warehouse Surveillance Cash
13 Fund. Any money in the fund available for investment shall be
14 invested by the state investment officer pursuant to the Nebraska
15 Capital Expansion Act and the Nebraska State Funds Investment Act.

16 Sec. 101. Section 89-1,100, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 89-1,100 The director shall collect registration, permit,
19 laboratory, test, and inspection fees, penalties, and money
20 required to be reimbursed as provided for in the Weights and
21 Measures Act and shall remit such funds to the State Treasurer.
22 The State Treasurer shall credit such funds to the Weights and
23 Measures Administrative Fund, which fund is hereby created. All
24 fees, penalties, and reimbursements collected pursuant to the act
25 and credited to the fund shall be appropriated to the uses of the

1 department to aid in defraying the expenses of administering the
2 act, except that transfers may be made from the fund to the General
3 Fund at the direction of the Legislature. Any unexpended balance
4 in ~~such fund~~ the Weights and Measures Administrative Fund at the
5 close of any biennium shall, when reappropriated, be available for
6 the uses and purposes of the fund for the succeeding biennium. Any
7 money in the fund available for investment shall be invested by the
8 state investment officer pursuant to the Nebraska Capital Expansion
9 Act and the Nebraska State Funds Investment Act. The registration,
10 permit, laboratory, test, and inspection fees, penalties, and money
11 required to be reimbursed as provided for in the Weights and
12 Measures Act shall constitute a lien on the weighing and measuring
13 devices or standards required to be registered or approved for
14 use in this state until such fees, penalties, and reimbursements
15 are paid. The director may sue for such fees, penalties, and
16 reimbursements and may seek to foreclose on any lien in the name of
17 the state. The county attorney of the county in which the device is
18 located or the Attorney General's office shall, upon the request of
19 the director, take appropriate action to establish and foreclose
20 on any such lien.

21 Sec. 102. Original sections 2-1503.01, 2-1577, 2-1587,
22 2-15,122, 3-126, 13-2704, 24-205, 24-227.01, 24-229, 25-2921,
23 28-429, 29-2259.02, 29-2262.07, 29-3921, 33-102, 37-351, 38-157,
24 39-1390, 46-1121, 46-1403, 50-437, 57-919, 60-1409, 66-739,
25 70-1020, 71-222.02, 71-4732, 72-2009, 76-549, 77-3,110, 77-4310.03,

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1 77-5031, 79-810, 79-1320, 81-188.01, 81-201.05, 81-2,147.11,
2 81-2,291, 81-528, 81-550, 81-5,153, 81-8,110.07, 81-8,194,
3 81-1120.23, 81-1201.22, 81-1278, 81-1413.01, 81-1428, 81-15,121,
4 81-15,165, 81-15,180, 81-1607.01, 81-1634, 81-2004.01, 81-2105,
5 81-3524, 82-108.02, 83-913.01, 84-409, 84-414, 84-1227, 85-1419,
6 85-1803, 86-127, 86-312, 86-463, 88-545.01, 88-552, and 89-1,100,
7 Reissue Revised Statutes of Nebraska, sections 48-1,116, 49-14,140,
8 50-114.05, 53-117.06, 54-857, 54-2428, 55-131, 59-1608.04,
9 60-3,218, 61-210, 61-218, 71-5661, 71-5714, 71-8612, 72-2211,
10 72-2501, 76-2226, and 77-5601, Revised Statutes Cumulative
11 Supplement, 2008, and sections 1-111, 2-5106, 47-632, 57-705,
12 60-2132, 66-1521, 66-1839, 77-1342, 81-885.15, 81-1201.21,
13 81-15,160, 81-3119, 81-3432, and 84-510, Revised Statutes
14 Supplement, 2009, are repealed.

15 Sec. 103. Since an emergency exists, this act takes
16 effect when passed and approved according to law.